



Federal *Jurisdiction*

Federal Bar Association Utah Chapter Newsletter

Winter 2010



by Amy Sorenson

President's Message

Happy 2010! It's traditional this time of year to take stock of where we've been and to look ahead to where we're going. As I begin my tenure as President of the Utah Chapter of the Federal Bar Association for 2010, doing so serves to remind me why I am a member of the Federal Bar Association

and how I've benefited from it, both personally and professionally.

Perhaps the best example of where we've been this past year is the chapter's annual Awards Dinner, held on November 19, 2009 at the Little America Hotel, one of my favorite events. This year, Past President Erik Christiansen presented the chapter's Distinguished Service Awards to Rodney G. Snow, G. Fred Metos, and the Honorable Judith A. Boulden, United States Bankruptcy Court Judge. Each of these distinguished members of the bar and bench were introduced by their friends, colleagues, and even family members: Christopher Snow for Rodney Snow, the Honorable Magistrate Judge Brooke Wells for Fred Metos, and Peggy Hunt for Judge Boulden. There is no substitute for the opportunity to hear from (and to hear about) the best practitioners in what can be a demanding and contentious field. Listening to the speakers this year, I was struck by what all of the recipients had in common -- devotion to their careers despite challenges, devotion to their families despite their careers, and devotion to the idea that lawyers and judges are engaged in something greater than merely waging battles (large and small) on behalf of others. The feeling of community and shared history is palpable at the Awards Dinner. There is a pride that comes from knowing that you too are part of something in which individuals like these -- people for whom improving the profession by mentoring others, overcoming adversity, writing treatises, and representing those too often forgotten in our society -- have risen to the top. If you weren't able to attend the Awards Dinner this year, I encourage you to put it on your calendar for November of 2010, and to read the profiles of the

honorees in this issue. It's a great way to discover, or rediscover, what it is that makes what we do worthwhile, and to learn about the many connections among us that make the practice of law here in Utah so rewarding.

The Awards Dinner's celebration of the highest ideals of the profession continued with the presentation of the 2009 Pro Bono Award to the law firm of Holland & Hart. The Utah Chapter first instituted the Pro Bono Award in 2008, awarding it to the Honorable Brooke C. Wells for her work in establishing the RISE Legal Clinic (Reentry Independence through Sustainable Efforts), which assists offenders with drug abuse or mental health challenges with housing, therapeutic intervention and medication management. Holland & Hart received the award this year, and their accomplishments are discussed in more detail in this issue. Perhaps my favorite quotation of the evening came from Brent Johnson, who led the Holland & Hart team that worked on the matter. Brent wrote that their pro bono representation "really drove home to us the significance of our justice system that frankly gets lost in the billing of hours and collecting of receivables. To go to court and argue with real earnestness but without rancor about what an individual's fundamental rights are was refreshing and affirmed to us how honorable and important this profession is." Profiles of the Holland & Hart lawyers involved in the matter, and a description of their important work, are also in this issue.

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by Louise York

Clerk's Corner

A New Home!

It has finally happened - we have funding for the new home for the United States District Court for the District of Utah. After more than a decade of asking, Congress has finally answered and appropriated the funds to be expended for building a new federal courthouse. The new courthouse will be located immediately to the west of our existing Frank E. Moss Courthouse.

Those of you with long memories will remember that the original request in the early 1990s was to build an annex to the Moss Building to provide for more courtrooms and ancillary space. Events over the last few years, however, have changed the needs that a new courthouse must serve. And since the Oklahoma City Murrah Building bombing, the new courthouse must be equipped with necessary security measures. The Court has been laboring with our congressional delegations for years to get funding for this project. We came close a few times, only to be pushed further down the funding list by "emergencies" in other parts of the country. Finally, in 2010, the project will officially begin.

On December 16, 2009, President Obama signed the omnibus spending bill which contained \$211,000,000 for construction of the courthouse. As always in government, there is one more hurdle - the funds need to be released by the House of Representatives Authorizing Committee. That date is uncertain.

The timetable for completion looks a little like this. The construction documents are anticipated to be complete by February 2010 and the major subcontractors will be prequalified soon thereafter. Outreach to small and minority owned business is also anticipated to be complete by the end of February. If the funding is released, the plan can be put out to bid in March of 2010. Construction could begin in May 2010. The best estimate is for a three year construction schedule. Early summer of 2013 is a realistic estimate of when we can start to pack up and move.

The challenge will be to continue normal court hearings and case processing functions in the Moss Building with major construction proceeding in our backyard; a challenge which will require the patience and understanding of both court personnel and practitioners alike. The bright spot is that our patience will be rewarded with a beautiful and functional courthouse.

Southern Utah Proceedings.

District Court Judges are now traveling to St. George to hear felony criminal cases and appropriate civil matters. The newly constructed state court building has incorporated a federal courtroom for our use. Judge Stewart was the first judge to travel down and conduct felony sentencing during the first week in January 2010. Magistrate Judge Braithwaite and Chief Bankruptcy Judge Thurman also use the St. George facility on a regular basis.

Trial by Jury.

Is the jury trial vanishing in federal courts? Not here! Looking at the year-end jury statistics, there were thirty one jury trials held in our District, including both civil and criminal. Chief Judge Campbell had five, Judge Benson had three, as did Judge Kimball. Judge Stewart had the most trials (nine!) followed closely by the new kid on the block, Judge Waddoups with seven. Senior Judges Jenkins and Sam each had two jury trials. The magistrate judges have not conducted any civil jury trials last year but, with the increased number of cases in which the parties have consented to magistrate judge exercise of full case authority, there will no doubt be jury trials held this year by one of our full time magistrate judges.

Too big to fail? What about "too big to file"?

I have been astounded by the size of some documents which are now coming into the court. Just last week, an attorney called to ask about the best way to file an amended complaint of two thousand pages. Yes, you read that correctly - TWO THOUSAND PAGES. There are a couple of cases in which huge documents are the rule and not a rare exception. If they are filed in paper, the clerk needs to break them down into smaller units so that we can upload them into CM/ECF. The clerk's office may request attorneys to break the filings down and file them in more workable units. We are seriously interested in feedback from attorneys about these huge documents. Are they causing issues for you? What do you think we should do, if anything, to deter this practice? Email me at Louise_York@utd.uscourts.gov if you have any thoughts on the subject.

Filing Statistics.

The court was busy in 2009. Civil case filings were 1,383, up from 1,202 in 2008. Criminal case filings, both felony and misdemeanors, were 1,175 in 2009 which is an increase from the 998 which were reflected in the 2008 statistics.

Judge Judith A. Boulden

A Career of Distinguished Service

Judge Judith A. Boulden will be retiring from the Bankruptcy Court for the District of Utah this year. To honor her for her dedication to the Federal Bar and for her outstanding work Judge Boulden recently received the Federal Bar Association's Distinguished Service Award at our Annual Awards Dinner. The following is a summary of a tribute made to Judge Boulden at the Awards Dinner by Peggy Hunt which demonstrates why Judge Boulden is such a very worthy recipient of the Distinguished Service Award. She exemplifies what it means to be a great jurist: she is hard working, practical, prepared, reasonable, and demanding of those that appear before her.

Judge Boulden learned hard work while growing up in Utah helping her father run cattle on the family ranch. In 1971, and after obtaining an undergraduate degree at the University of Utah, she decided to go to law school. At that time, women comprised less than 10% of the graduating class.

Both at law school, and afterwards, she excelled. Her first job as an attorney was as a law clerk for the Honorable A. Sherman Christensen. From there she went on to be employed by the law firms of Roe & Fowler and later McKay Burton, Thurman & Condie. At the time, Judge Boulden was one of only two women attorneys who regularly entered appearances in the Bankruptcy Court. She eventually founded the successful law firm of Boulden & Gillman, before taking the bench in 1988. She became the first woman to sit as a federal judge in Utah.

While in practice, Judge Boulden was a pioneer of consumer bankruptcy law. In the late 1970s and early 1980s federal bankruptcy laws were changing. For the first time, special provisions were enacted to deal with bankruptcies filed by individuals having a regular income -- known as a Chapter 13 case. Chapter 12 of the Bankruptcy Code was also enacted in the 1980s to deal with the financial crisis being faced by many family farmers. In both Chapter 12 and Chapter 13, a trustee is appointed to administer all aspects of the bankruptcy case.

However, the Bankruptcy Code does not give detailed instructions on how trustees are to administer these cases and no regulations exist. Judge Boulden was appointed as the first standing Chapter 13 trustee in Utah, and then as a standing Chapter 12 trustee. At that time, the law was completely undeveloped. Judge Boulden literally wrote the book on Chapter 12 and 13 cases, which has since shaped the practice of these types of cases to this day. Reflecting on

the days when Judge Boulden was in practice, Judge R. Kimball Mosier states: "She essentially invented the Chapter 13 trustee office in Utah."

As a judge, Judge Boulden continued her hard work and dedication to the profession. Beside her work on the United States Court's Chambers Automation Program, she has also served as the Presiding Judge on the Bankruptcy Court's Local Rules Committee to develop coherent Local Rules of Practice. Also, Judge Boulden was a member of the Committee that wrote the first set of Local Rules for the Bankruptcy Appellate Panel of the Tenth Circuit.

And Judge Boulden has made significant contributions to the body of bankruptcy law, both as a trial court judge and as one of the first members of the Bankruptcy Appellate Panel of the Tenth Circuit. She has served as the Chair of the National Conference of Bankruptcy Judges, Judge's Liaison Committee, which serves as a liaison to the National Association of Chapter 13 Trustees ("NACT"). Kevin Anderson, the current standing Chapter 13 trustee and NACT President, states:

"Since her appointment to the bench, Judge Boulden has played a pivotal role in the Utah Chapter 13 practice. Her prior experiences as a Chapter 13 trustee, her extensive understanding of Chapter 13 policy issues, and her expertise on the statutory language of Chapter 13 [has] created one of the most comprehensive Chapter 13 systems in the country. Judge Boulden is known both locally and nationally as a technician of the Bankruptcy Code and her well-reasoned opinions are often the standard for the matter at issue."

Judge Boulden's deep understanding of the law is not limited to consumer cases, but also extends to business cases. Discussing her work in the very complex Chapter 11 cases filed by CF&I Steel Corporation and its affiliates, lead counsel Steve McCardell summarized Judge Boulden's work ethic and professionalism as follows:

"Often working far into the night, she repeatedly startled lawyers in the case from around the country with the depth of her preparation and grasp of highly technical issues, many of which were issues of first impression. Judge Boulden's ability to make prompt and definitive rulings cleared the way for resolution of issue after issue [in the case]. . . .

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Bankruptcy Court Judge Judith A. Boulden was introduced by Peggy Hunt



Rodney G. Snow Distinguished Service Award

Rodney G. Snow was recently honored by the Utah Chapter of the Federal Bar Association and received the Distinguished Service Award. Drawing on his thirty-eight

years in practice, we discussed with Mr. Snow his views on subjects affecting the practice of law and changes in the profession.

On Civility: “We went through a period where we weren’t as civil as we should have been; probably me included. The adoption by the Supreme Court of the Rules of Civility was an excellent idea and has led to significant improvement.” By the same token, “collegiality is widespread. I don’t feel uncomfortable calling someone in the bar and asking for advice in areas where I don’t have specialization.”

On the Quality of Practice: “The number of lawyers we put into the market has always been a concern. It is amazing how we have been able to absorb over 10,000 lawyers. Lawyers in Utah are of very high quality and new lawyers are better trained than they used to be. Specialization has been challenging for all of us, but has improved the quality of practice.”

On the State Bar New Lawyer Mentoring Program: Mr. Snow was instrumental in designing the new lawyer mentoring program, which assigns a new lawyer to an experienced lawyer for training. “One of the reasons we established the mentoring program was it became apparent that as new lawyer salaries were escalating, new lawyers were also being required to bill more and more hours. These time demands meant that in some cases new lawyers were not receiving adequate training. They were not receiving help with personal problems or with life-balance issues.

“The suggestion for a mandatory mentoring program came from the Conference of Chief Justices through Chief Justice Durham. It was beginning to see the quality of litigation skills hitting an all-time low, particularly among new lawyers. About one-third of lawyers are in solo practice. So while new lawyers were being well trained in law schools, they were not receiving the kind of practical training that is so important to developing skills.

“We are in the process of assigning mentors now. New lawyers who work in firms may be assigned to a mentor within their firm. But, we still need more mentors willing to work with new lawyers outside their firm. The pressure

point in the program is getting experienced lawyers to devote the time necessary to make the program successful. Anyone interested in helping with this program can find the training manual and application on the Stat Bar web page.”

On Advice to New Lawyers in the Mentoring Program: “We tell new lawyers to check their egos at the door. Don’t be afraid to ask questions. Make your mentor a confidant and a friend. Mentors should be trusted advisors and coaches. We encourage mentors to develop meaningful relationships with their new lawyers. That takes time and does not happen in ten-minute segments.”

On the Transition from Government Service to Defense Work: Mr. Snow began his career with the United States Environmental Protection Agency in the Office of General Counsel, Air Quality and Radiation. He then practiced in the U.S. Attorneys’ Office. That office had only six assistant U.S. attorneys at the time. We asked him about the transition to private practice, where he defends the accused and represents corporate clients:

“The transition is not that difficult if you believe in the system and that everyone is entitled to a defense. The government’s burden of proof is very important. I see my role as helping the government to see new facts or understand the facts as they relate to my clients.”

On the Benefits of Being Active in the Utah State Bar and the Federal Bar Association: “I got involved in Federal Bar activities early in my career, but my involvement with the Utah State Bar came later. I view the State and Federal Bar Associations as an opportunity to give back to our profession.

“The Utah State Bar has important duties. Administering admissions and conducting the bar examination is a huge job. Administering the new lawyer training and conducting continuing legal education are also significant responsibilities. They also administer programs lawyers don’t notice, like the Blomquist/Hale counseling service, where lawyers or their families can go free of charge for counseling. In the Lawyers Helping Lawyers program, we appoint a lawyer to go into a practice with a lawyer who is having a serious problem and help pull the practice together. The Office of Professional Responsibility also performs a valuable service.

“The Bar Associations also provide an opportunity for camaraderie, which makes the practice more enjoyable and less contentious. The Federal Bar performs a great service to the profession with the CLE programs it provides and its services to the Federal Court.”



Rod Snow was introduced
by Christopher Snow



Fred Metos Distinguished Service Award

At the Utah Chapter's Annual Dinner last November, the Chapter was honored to present a Distinguished Service Award to Fred Metos, one of the outstanding criminal defense attorneys in the State.

In her remarks at the Annual Dinner honoring Fred, Magistrate Judge Brooke Wells noted that her association with him started some 38 years ago when he was a “counterculture” cub reporter for the University of Utah Daily Chronicle and she was the ASUU Secretary. Thus, she explained that their association, while not quite “prehistoric,” was “prelaw.”

Fred graduated from the University of Utah Law School in 1978 and went to work for the Salt Lake Legal Defenders Association. In Judge Wells' remarks she described the legal work at the LDA in the late 1970s and early 1980s as “challenging, demanding and exciting” – work on which Fred thrived. Judge Wells explained the work at LDA during that time presented an unparalleled opportunity in dealing with the “hot issues” of the day, and the work environment was stimulating and even fun. Judge Wells recounted the following road trip: “I have a clear recollection of the road trip with Glenn Iwasaki, James Valdez and Fred to a San Francisco criminal defense seminar. We left after work one afternoon and were exhausted by Lovelock, Nevada. Our individual office contributions for this seminar were minimal and none of us had extra money. So, we opted for one motel room; in which, not surprisingly, there were but two beds. None of the men would sleep in the same bed with me and certainly not with each other—Fred and Glenn resolved the impasse by taking the top mattresses off each bed and putting them on the floor. I was cut no slack; I remember sleeping on bed springs; but we each had our own bed!”

Since those days, Fred has worked in a number of settings, most recently in private practice, specializing in criminal defense.

Judge Wells noted that Fred has represented defendants in some of the most interesting and high-profile criminal cases in the state over the last 30-plus years, and commended him for always having done so with the highest level of skill, professionalism, and dedication.

Fred's leadership and contributions in the community are myriad. He served as the First President of the Utah Association of Criminal Defense Attorneys, as a member of the Utah Sentencing Commission, as a Criminal Justice Act (CJA) panel attorney since 1983 and as a panel representative since 2004 of the Federal CJA panel for the District of Utah. He has also served on the Utah Supreme Court Appellate Rules Committee. He has been a frequent lecturer at UACDL and Utah State Bar Seminars and an author of published articles on various topics relating to criminal defense, including cross-examination and appellate advocacy.

The mentors to whom Fred gives credit for his success include F. John Hill, Lynn R. Brown, Judge Bruce Lubeck, Judge Steve McCaughey, Jack Kunkler, Walter Budgen, Judge Glen Iwasaki, Ron Yengich and Judge Wells.

Fred and his wife, Stephanie, have three children, George, Emma who are fourteen-year-old twins, and Max, who is nine. Fred's interests include running (he likes to run the Bonneville Shoreline trail and has completed three half marathons), as well as being a Utah Jazz fan and a University of Utah football fan. He actually served as the University of Utah football team manager for four seasons during the 1970s. Fred is a cancer survivor, having survived a scare about five years ago when he needed to have a cancerous tumor removed from inside his heart. His wife, Stephanie, teaches art part-time at Our Lady of Lourdes School and also does information technology work for the CJA panel.

In bringing her introduction of Fred to a close last November, Judge Wells summarized that Fred is “all about” loyalty, dedication to the cause of constitutional protection and due process, the rights of those accused of criminal offenses to effective representation, leadership in the community and commitment.

The Utah Chapter congratulates Fred as a most deserving recipient of 2009's Distinguished Service Award.



Fred Metos was introduced by
Magistrate Judge Brooke Wells



by Jen Tomchak

2009 Pro Bono Award Holland & Hart

Holland & Hart and its attorneys David Broadbent, Brent Johnson, Romaine Marshall, Cecelia Romero, and Rebecca Ryon received the Federal Bar Association's 2009 Pro Bono Award at the FBA's Annual

Awards Dinner on November 19, 2009. As a direct result of their representation in *Doe v. Shurtleff*, the Utah Legislature amended a statute containing constitutionally questionable language. Specifically, the Utah Legislature had adopted legislation requiring sex offenders to register all of their internet identifiers and the websites on which they use those identifiers. After being appointed as pro bono counsel for the Plaintiff on June 23, 2009, the Holland & Hart team appeared before Federal District Court Judge Tena Campbell on June 30, 2009, on a motion for preliminary injunction and summary judgment. The Holland & Hart team challenged the provision's constitutionality, arguing that the legislation violated the Plaintiff's First Amendment right to anonymous speech. The State countered, arguing that sex offenders forfeit their First Amendment rights or alternatively that the statute should be narrowly construed to limit the use of the information to criminal investigations by the Utah Department of Corrections. The Court rejected these argument, finding that sex offenders have First Amendment rights and that the Utah Legislature had failed to use the least restrictive means to achieve its interest in protecting children from predators and investigating crime. The Court granted Holland & Hart's motion, and the State was enjoined from enforcing the questionable provisions of the statute.

While the court's decision was being appealed to the Tenth Circuit Court of Appeals, the Utah Legislature amended the statue to limit the information required under the statute and to restrict how that information can be used. In particular, the Legislature limited the dissemination of the information to allow it to be used only by the Utah Department of Corrections and only for the purpose of conducting criminal investigations of sex-related crimes. The Legislature also amended the Utah Governmental Records Management Act to prohibit public disclosure of the information except in certain limited situations.

David Broadbent is a partner at Holland & Hart whose practice focuses primarily on real estate and corporate law. He is a 1979 graduate of the University of Utah law school. Brent Johnson, also a partner, has a diverse practice focusing on complex commercial litigation, products liability, environmental, government contracts, and intellectual property litigation. He is a 1987 graduate of the University of Michigan law school. Cecilia Romero is a 2002 graduate of the University of Utah law school. Her primary areas of practice include commercial litigation, labor and employment, and trademark litigation. Romaine Marshall, a recent Brigham Young University law school graduate, concentrates his practice in the areas of business, environmental, and oil and gas litigation. Rebecca Ryon joined Holland & Hart in 2007 after graduating from the University of Utah law school. Her practice focuses on litigation related to environmental and natural resource regulation.



David Broadbent, Cecelia Romero, Rebecca Ryon, and Romaine Marshall of the law firm, Holland & Hart were introduced by Jenifer Tomchak

Pro Bono Corner

Holland & Hart is just one of several firms that have provided excellent pro bono service as part of the Federal Bar Association and Utah Federal District Court's Pro Bono Appointment Wheel. Since our last newsletter, the following firms and attorneys have completed or participated in the Wheel:

- Seth Mott of Van Cott Bagley
- Adam Price of Jones Waldo
- Emily Smith of Snell & Wilmer
- Parsons Behle & Latimer
- Sean Miller of Richards Brandt Miller & Nelson
- Mark Hindley & DJ Williams of Stoel Rives
- Robert Wing of Prince Yeates,
- Manning Curtis Bradshaw & Bednar
- Gary White of Kipp & Christian
- Sarah Spencer Christensen & Jensen
- Mark Kittrell of Fabian and Clendenin

Thank you to all of the attorneys and firms that have volunteered to participate in the Pro Bono Appointment Wheel. If you are interested in participating, please contact Jenifer Tomchak, jtomchak@parrbrown.com.



by Jonathan Pappasideris

Notable Decisions

Civil Decisions

Civil Procedure

Systemic Formulas, Inc. v. Kim, 1:07-CV-00159 (2009 WL 5205995)

On December 23, 2009, Magistrate Judge David Nuffer issued a Memorandum

Decision and Order granting a Motion for Contempt and Sanctions filed by Defendants Daeyoon Kim and Innovita, LLC against Plaintiff Systemic Formulas, Inc. Specifically, Defendants claimed that Systemic Formulas' counsel violated a protective order when he provided his client with documents obtained from Defendants pursuant to an "Attorneys' Eyes Only" order. Although Systemic Formulas' counsel contended that he was allowed to refer to and rely upon protected information in order to disseminate advice to his client, the Court concluded that a significant distinction existed between providing advice based on information and delivering or disclosing the protected information itself.

Criminal Decisions

Fourth Amendment

United States v. Flores-Loza, 2:09-CR-00297 (2010 WL 135112)

On January 11, 2010, Judge Clark Waddoups issued a Memorandum Decision and Order granting Defendant Lucio Flores-Loza's Motion to Suppress. During a traffic stop for speeding near Green River, a Utah Highway Patrol trooper examined Defendant's driver's license, asked some background questions about ownership and insurance of the vehicle, and issued a citation. Based on Defendant's behavior during the stop, the trooper suspected criminal activity and ran checks on the vehicle's VIN number, the car registration, Defendant's driver's license, and criminal history. Subsequently, the trooper learned Defendant's registration and driver's license were valid, Defendant had no outstanding warrants for his arrest, and that the vehicle had not been reported stolen. As such, the trooper told Defendant he was

"good to go" and to "drive safely." However, before Defendant pulled away, the trooper returned to Defendant's vehicle and asked him if he would answer additional questions. When Defendant refused, the trooper said "have a good day" and started to walk away from the vehicle for a second time. However, the trooper again returned to the passenger window before Defendant pulled away from the roadside and asked for consent to search the car. Eventually, Defendant signed a form and the trooper searched the vehicle, finding a large amount of methamphetamine.

In granting Defendant's Motion to Suppress, the Court emphasized that the applicable standard in the Tenth Circuit for examining the constitutionality of a traffic stop or continued detention is whether the particular officer had reasonable suspicion to believe that the particular motorist violated the law. Although an officer may continue a detention if he or she has reasonable suspicion, in this case, the trooper informed Defendant that he was "good to go" even though the trooper knew he could continue to detain Defendant and continue his investigation. In other words, the trooper confirmed, by his comments to Defendant, that he did not have reasonable suspicion when he extended the scope of the traffic stop, thereby rendering the continued detention unlawful.

United States v. Martin, 2:09-CR-00747 (2010 WL 200012)

On January 14, 2010, Judge Ted Stewart issued a Memorandum Decision and Order partially granting and partially denying Defendant Christopher Martin's Motion to Suppress. Specifically, the Court concluded that an individual staying at a house as a guest (who was given permission to do so by someone with apparent authority, was given a room to stay in, and moved their personal possessions into the room) had a reasonable expectation of privacy with respect to their immediate living quarters (i.e. the room). As such, Defendant had the right to challenge an officer's warrantless entry into that room and subsequent search of his belongings. The Court also concluded that Defendant did not abandon his belongings (including the backpack at issue) in the bedroom and rejected the officer's search of those belongings based on that theory.

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"Judge Boulden's work in confirming a plan [of reorganization] just over two years [after the cases were filed] saved the jobs and retirement and medical benefits of 1,500 employees, over 5,000 retirees, and approximately 3,500 dependents of retirees."

When a decision is rendered by Judge Boulden, one can be sure that the law will be applied and that the decision will be carefully considered, practical, and well-reasoned. Over the years, Judge Boulden has truly worked with passion for what

she does. Summarizing this quality, Judge Mosier observes:

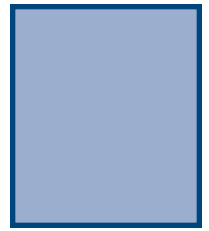
"After all of her years on the bench and even on the verge of retirement Judge Boulden remains as committed and passionate to her office, the law, the bankruptcy system and her family as ever. She may be skeptical at times, she should be, but she is not cynical. She has always and continues to believe in what she has done and is doing."

Judge Boulden is highly respected, deserving of the Federal Bar Association's Distinguished Service Award, and will be sorely missed by those practicing in the Bankruptcy Court.

Federal Bar Association Utah Chapter Newsletter

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CONTINUED FROM FRONT COVER

The Awards Dinner, of course, is just one example of where we've been in what was a characteristically busy year in the life of the chapter under the leadership of Erik Christiansen and the rest of the 2009 Board. As for where we're going, in many ways, that's up to you! If you have ideas for how the Utah Chapter can improve the provision of services to its members, please feel free to let me or any board member know. We're always looking for ideas about how we can serve you better. In the meantime, stay tuned for helpful new content on our website, www.fedbar.org/utah.html, aimed at the federal practitioner, the continuation of our exclusive "Side Bar" series of intimate lunchtime CLEs with

the members of our federal bench, the third annual Southern Utah CLE in St. George, and the chapter's Criminal Law Seminar and flagship Ronald N. Boyce Federal Court Litigation Practice Seminar. In addition, this year the Utah Chapter is thrilled to host the Tri-State Federal Bar Convention in our own Park City, which is an exciting way to bring FBA members together from the Utah, Idaho and Wyoming chapters, both bar and bench, in an absolutely beautiful mountain resort setting. I hope to see you at one or more of these fun and educational events.

Amy Sorenson

Welcome to Our New and Renewed FBA Members

David J. Jordan
J. Mark Gibb
Kent B. Scott
H. Dickson Burton
Sean Druyon
Ryan L. Marshall
Aaron C. Garrett
Damon J. Georgelas
Glenn C. Hanni
Matthew L. Bell
Kamie F. Brown
Mona L. Burton
Katherine A. Carreau
T. Edward Cundick



Carol A. Dain
James L. Driessen
Michael K. Erickson
Randall Gaither
Joanne M. Jorgensen
Bryan J. Pattison
Daniel D. Price
Aaron J. Prsbrey
D. Williams Ronnow
David E. Smoot
Matthew W. Starley
Erik Strindberg
Jeannette F. Swent

To Join the FBA, see www.fedbar.org/join.html