



# Bar Talk

May 22, 2013

[www.fedbar.org/Chapters/Minnesota-Chapter.aspx](http://www.fedbar.org/Chapters/Minnesota-Chapter.aspx)

## Open Doors to Federal Courts 2013 Legacy of Courage and Freedom: Dred and Harriet Scott

The 14th Annual Open Doors to Federal Courts presentation, like in years past, did not disappoint. This year's event was held April 25th at Bloomington Jefferson High School and focused on the lives of Dred and Harriet Scott, and the impact of the *Dred Scott v. Sanford* decision on the end to slavery in the United States. Approximately 800 high school juniors from Thomas Jefferson High School and John F. Kennedy High School in Bloomington attended the event, which was hosted by the U.S. District Court for the District of Minnesota.

Dred Scott was an African American slave who sued for his freedom in 1846. Following two St. Louis circuit court trials, one appeal with the Missouri Supreme Court, and one federal trial in the United States Circuit Court for the District of Missouri, his case was finally heard by the U.S. Supreme Court. In 1857, the U.S. Supreme Court ruled in *Dred Scott v. Sanford* that all persons of African American ancestry could never become citizens of the United States, and thus could not sue in federal court.

The program, hosted by Chief District Court Judge Michael J. Davis, District Court Judge Donovan W. Frank, and Retired City of Richfield Manager Frank White, featured a Dred and Harriet Scott living history re-enactment, and a judicial panel presentation followed by a Q&A session with students.

### American History Class Presentations

In preparation for the Open Doors presentation, former Training Specialist for the U.S. District Court Charlie Cree, Assistant U.S. Attorneys Ann Anaya and Lola Velázquez-Aguilú, and Assistant Federal Defender Manny Atwal presented the history of Dred and Harriet Scott to 13 American History classrooms at Jefferson and Kennedy High Schools.

To help prepare students for the Open Doors program, Mr. Cree discussed the geographic, social, and economic make-up of the United States in the



Actor Bruce A. Young and actress Dominique Jones played the parts of Dred and Harriet Scott at the Open Doors program at Bloomington Jefferson High School.

(Photograph courtesy of Katie Uline.)

early 19th century. He explained that under the 1820 Missouri compromise slavery was illegal in the North and legal in the South. During that time, a slave owner could purchase a slave in a slave state and then travel with the slave to a land where slavery was illegal. The *Dred Scott* decision rested on this issue.

### Inside this issue:

Open Doors to Federal Courts	1
2013 FBA Law Student Awards	3
WMCL Competes at Thurgood Marshall Moot Court	4
New Member Reception	7
IP Seminar Highlights	7
Pro Se Project Updates	8

(continued on p. 2.)

## Living History Re-Enactment

Students at this year's Open Doors presentation were treated to a performance of a living history re-enactment of the lives of Dred and Harriet Scott. Local actor, Bruce A. Young performed the role of Dred Scott, and local actress Dominique Jones performed the role of Harriet Scott. These actors told the history of the *Dred Scott v. Sanford* decision as it was seen through the eyes of Dred and Harriet Scott.

Young, playing Dred Scott, detailed the struggles faced while battling for freedom. Dred Scott had to prove that he was working as a slave for his owner, army surgeon Dr. John Emerson at Fort Snelling. During this time, if an officer of the army took a slave to a territory where slavery is prohibited, the officer forfeited his right to that slave. During his second state court trial, an all white jury found that Dred and Harriet Scott were free. Previous cases held that state laws no longer applied to slaves taken to other jurisdictions, or "once free, always free." The Missouri Supreme Court ruled otherwise, stating that "once free, always free" no longer applied. The Honorable Kevin G. Ross of the Minnesota Court of Appeals, playing the role of Fredrick Douglass, discussed the U.S. Supreme Court decision. The Supreme Court held that slaves were considered to be property of the slaveholders. He continued stating that Congress had no right to prohibit slavery anywhere.

## Judicial Panel and Q&A

Following the living history re-enactment, a judicial panel comprised of the Honorable Wilhelmina M. Wright, Associate Justice of the Minnesota Supreme Court; the Honorable Kevin G. Ross, Minnesota Court of Appeals; the Honorable Lyonel Norris, Hennepin County Fourth Judicial District; and the Honorable Edward Wilson, Ramsey County Second Judicial District, discussed how their lives have been impacted by the *Dred Scott v. Sanford* decision. Each judge had a different upbringing, but all shared similar stories of how they continued to experience segregation, even after the civil rights movement of the 1960s.

Justice Wilhelmina Wright described her childhood in Norfolk, Virginia, which was still mostly a segregated community. Parents of African American children worked hard to ensure that their children were receiving the same quality education as Caucasian students. This fight continued for Justice Wright into the 1990s as she worked in an education section of a law firm fighting to ensure quality education for students of all races.

Born and raised in Saint Louis, Judge Kevin Ross spoke of his experiences with "white flight;" African American families



Above, left to right, Minnesota Court of Appeals Judge Kevin G. Ross, Minnesota Supreme Court Justice Wilhelmina M. Wright, Hennepin County District Court Judge Lyonel Norris, and Ramsey County District Court Judge Edward Wilson. (Photograph courtesy of Katie Uline.)

moving into a neighborhood and Caucasian families moving out. He also described some people's view on his career advancement as being simply due to his race rather than his qualifications.

Judge Lyonel Norris spoke of the importance of education. Judge Norris was raised in "one of the most segregated cities," Washington, D.C., and did not attend a desegregated school until high school. Attending Carleton College in Northfield, Minnesota, his college advisor told him that it was not expected for him to graduate with a college degree; that the coursework was too rigorous. An influential college professor, the late Senator Paul Wellstone, changed Judge Norris' mentality in college, telling him to expect and require excellence.

Judge Edward Wilson spoke of the effects of the *Dred Scott* decision on history. He explained that this case really got people thinking critically. This decision strengthened the Republican Party, which ultimately led to the election of President Abraham Lincoln. Judge Wilson encourages people to not focus on the negativity of *Dred Scott*, but focus on the positives; focus on what changes happened because of the protests associated with *Dred Scott*.

Students were also afforded the opportunity to ask questions of the judicial panel. Questions raised included the panelists' opinion on similarities between the *Dred Scott* decision with the pending Supreme Court decision on gay marriage, and what areas need to be worked on to be equal as a society.

(continued on p. 3.)

## Congratulations to the 2013 FBA Law Student Award Recipients!

On April 10th the Minnesota Chapter of the FBA held the 31st Annual Law Student Scholarship Award celebration, which took place at Hamline University School of Law. The awards recognize students who have shown exceptional scholarship in the area of federal courts and federal practice.



(Pictured above, left to right) The 2013 award recipients and the judges who awarded each recipient their respective award: Chief Judge Michael J. Davis and Chris Schmitter (University of Minnesota Law School); Judge Donovan W. Frank and Amran Farah (Hamline University School of Law); Terrence R. Schnurr (University of St. Thomas Law School) and Judge Susan Richard Nelson; and Lauren D'Cruz (William Mitchell College of Law) and Judge Paul A. Magnuson.

(Pictured left, left to right) Dean Donald Lewis and Amran Farah, Hamline University School of Law; Dean David Wippman and Chris Schmitter, University of Minnesota Law School; Dean Robert Vischer and Terrence R. Schnurr, University of St. Thomas Law School; and Lauren D'Cruz and Dean Eric Janus, William Mitchell College of Law.

(Photographs courtesy of Erica Davis.)

The recipients of this year's awards are as follows:

- Judge Earl R. Larson Award: **Chris Schmitter**, University of Minnesota Law School
- Harry A. Sieben Award: **Lauren D'Cruz**, William Mitchell College of Law
- Judge Jacob Dim Award: **Amran Farah**, Hamline University School of Law
- Judge Earl R. Larson Award: **Terrence R. Schnurr**, University of St. Thomas Law School.

**Congratulations to each for their well-deserved recognition and commitment to federal courts and practice!**

(Open Doors, continued from p. 2.)

Those interested in learning more about the legacy of Dred and Harriet Scott are invited to attend *Legacy of Courage and Freedom: Dred and Harriet Scott* at the Civic Plaza in Bloomington, Minnesota, tonight, Wednesday, May 22, 2013, at 6:30 p.m.

An encore presentation of the living history reenactment, as well as a presentation from keynote speaker Lynne Jackson, great-great-granddaughter of Dred and Harriet Scott, will begin at 7:00 p.m.

Kathryn Uline is the Financial Administrator for the U.S. District Court and a member of the Communications Committee.



## A FIRST FOR MINNESOTA: MINNESOTA AMONG STATES REPRESENTED IN 2013 THURGOOD MARSHALL MOOT COURT COMPETITION

The FBA Sixteenth Annual Thurgood A. Marshall Memorial Moot Court Competition took place in Washington, D.C., on April 4 and 5. Thanks in part to the Minnesota Chapter's generous financial sponsorship, a team of students from William Mitchell College of Law was able to compete and make a good showing. This is the first time in the competition's existence that a Minnesota team has participated. The team consisted of Casey Stanley and Kevin Hill, both rising third-year law students, and their coaches, Cliff Greene and Janine Wetzel, attorneys at Greene Espel PLLP, who graciously gave of their time to coach the students over a three-month period.

As background, the competition started in 1997 and has been an annual event sponsored by the FBA's Younger Lawyers Division ("YLD"). Several aspects of the competition make it one of the premier moot court competitions in the nation. First, every round of the competition is held at a courthouse in Washington, D.C., over the course of two days (from the Superior Court of D.C., to the U.S. Court of Federal Claims, and concluding at the U.S. Court of Appeals for the Armed Forces), as opposed to a law school or office setting. The opportunity for law students to present oral arguments in actual courtrooms is an invaluable experience. Second, all of the volunteers who serve as judges in the competition are actual state or federal judges, practitioners or scholars, thereby reinforcing the "real world" experience for the law students. Third, law students have an opportunity at the awards reception that immediately follows the competition to network with federal court practitioners and judges who travel from around the country to attend the FBA's Mid-Year Meeting. Finally, each law student participant in the competition receives a free one-year FBA membership.

While 49 teams signed up, 45 teams representing law schools across the country competed, making this year's competition by far the most challenging and competitive in the competition's history. This year's Problem also added a thicker layer of complexity to the competition than in years past. The Problem centered on a fictional husband (Joe Public) and wife (Jane Private) who lived in a State where the statutory right to jury trials in civil cases had recently been repealed and who had allegedly been defamed by a popular daily tabloid entertainment news program that aired regularly on a broadcast channel. After filing suit against the program's producer and the channel's owner (a Delaware corporation) for defamation (among

other claims) and seeking declaratory judgment, Defendants answered the complaint and filed a counter-claim, requesting declaratory judgment with respect to the constitutionality of the eliminated right to civil jury trials. Later, the husband and wife sought leave to file an



(Above) Overall Champion Team, Amanda Leone and Sean Kennedy, Seton Hall School of Law, with Judge Andrew Effron.



(Left) Second place team, Alexander Noble and Lily Ockert, New York Law School, with Judge Andrew Effron.

(Photos courtesy of FBA.)

amended complaint, which was granted, and filed a motion to dismiss the Defendants' declaratory judgment request. The State Circuit Court ordered *sua sponte* that the amended complaint be stricken from the record and ultimately the parties' issues found their way to the U.S. Supreme Court.

Having briefed their respective positions on questions certified to the U.S. Supreme Court relating to the right to a jury trial under the Seventh and Fourteenth Amendments and the First Amendment Right to Petition, the law students presented their oral arguments. Teams were eliminated over the course of two days: first from a cut of 45 to 16 on Thursday; then from a cut of 16 to 8, 8 to 4, and 4 to 2 on Friday. Those two teams that made it to the Final Round were able to present their case to the Final Round panel. The Final Round panel consisted of the Honorable Andrew Effron, U.S. Senior Court Judge for the U.S. Court

of Appeals for the Armed Forces; the Honorable Gustavo Gelpi, U.S. District Court Judge for the District of Puerto Rico; Brigadier General Kyle Goerke, Special Assistant to The Judge Advocate General, Army National Guard; Robert DeSousa, FBA President and State Director for U.S. Senator Pat Toomey; and Alfredo Castellanos, partner at Castellanos & Gierbolini and this year's Problem author and longtime Final Round judge. Sean Kennedy and Amanda Leone, law students from Seton Hall School of Law came out on top as the Overall Champion Team of the competition. Alexander Noble and Lily Ockert, law students from New York Law School, finished second. The remaining winners of the competition are as follows:

2013 Moot Court Winners	
<b>First place Team:</b>	Seton Hall (Team 24 )
<b>Second place Team:</b>	New York Law School (Team 18)
<b>Third place Team:</b>	UC Hastings College of Law (Team 29)
<b>First Brief:</b>	Seton Hall (Team 24)
<b>Second Brief:</b>	New York Law School (Team 18)
<b>Third Brief:</b>	University of Miami (Team 37)
<b>First Oralist (Prelim):</b>	Jacqueline Hamer - Baylor Law School (Team 2)
<b>Second Oralist (Prelim):</b>	Stephen Bachran - St. Mary's (Team 28)
<b>Third Oralist (Prelim):</b>	Benjamin Rigg - University of Dayton (Team 33)
<b>Best Final Round Oralist:</b>	Sean Kennedy - Seton Hall (Team 24)

It should not go without saying that Casey and Kevin went head to head with Sean and Amanda on day one of the competition, and the rest is history. Nonetheless, both Casey and Kevin reflect positively on their "ground-breaking" experience. Kevin stated, "Thurgood Marshall was a terrific learning experience. The entire process dovetailed well with the courses I was taking at the time, which allowed me to put substantive knowledge to practical use." He added, "The problem was interesting and challenging. When adding the competition to three internships and a full course load, it made me better at time management and gave me a good idea of what it will eventually be like in



Pictured above: Overall Champion Team and second place team with Final Panel judges, left to right, Alfredo Castellanos (Problem author), Judge Gustavo Gelpi, Judge Andrew Effron, FBA President Bob DeSousa and General Kyle Goerke. (Photo courtesy of FBA.)



Pictured above, Final Panel judges at the conclusion of the moot court competition. (Photo courtesy of FBA.)

practice." Casey and Kevin found the experience to be rewarding and recommend the competition to any law student interested in federal practice.

Next year, the bar will be raised even higher as 50 teams are expected to compete. The Minnesota Chapter is hopeful to have another Minnesota law school team (and maybe two or three) compete and represent Minnesota, at least from the team perspective. Minnesota is already being represented in the competition. Adine Momoh, an attorney at Leonard, Street and Deinard, P.A. and Co-Chair of the Minnesota Chapter's Law School Outreach Committee,



served as Co-Director of the competition for 2013 and will serve as the Director of the competition for 2014. But given the talent and skill that the law students in Minnesota possess, a Minnesota law school team needs to compete, and over time, Minnesota will climb closer to number one. If you know of any law students eager to learn about federal practice, please encourage them to participate in the Thurgood A. Marshall Memorial Moot Court Competition, and if you are willing to serve as a coach of a local law school team, please contact Adine at [adine.momoh@leonard.com](mailto:adine.momoh@leonard.com) and Karin Ciano, co-Chair of the Law School Outreach Committee, at [karin.ciano@gmail.com](mailto:karin.ciano@gmail.com).

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

Pictured below left: FBA President Bob DeSousa and Competition Co-Director Adine Momoh announcing the competition winners.

Pictured below right: Competition Co-Director Kelly Scalise, FBA President Bob DeSousa, Competition Co-Director Adine Momoh and Thurgood Marshall Moot Court Committee Member Joey Bowers.



Pictured above, left to right: Elizabeth Kronk (FBA Board Member), Becky Thorson, Adine Momoh, and Dan Hedlund, (Minnesota Chapter representatives), and Kevin Hill and Casey Stanley (William Mitchell College of Law). (Photo courtesy of FBA.)



Pictured right: William Mitchell College of Law Team Casey Stanley and Kevin Hill with coach Janine Wetzl, Green Espel PLLP.



## Chapter Hosts New Member Reception

The Minnesota Chapter of the FBA was pleased to host a reception to encourage new members to join the Minnesota Chapter of the FBA and also welcome new members to the Chapter. The reception was hosted by the law firm of Halunen & Associates. **Chief Judge Michael J. Davis**, **Tiffany Sanders**, *Pro Se* Project Director, and **Clayton D. Halunen**, Co-Chair of Membership, gave remarks. Also in attendance were District Court Judge **Donovan W. Frank** and Magistrate Judges **Steven E. Rau** and **Tony N. Leung**. For years, the Minnesota Chapter has remained the second largest chapter in the United States, second only to the New Orleans Chapter. Encourage those you know to join the Minnesota Chapter, and be sure to renew your own membership!



(Photographs courtesy of Kirstin D. Kanski.)



## Patently Relevant: Annual IP Seminar a Success!

On Tuesday, May 14, 2013, the Intellectual Property section and Fredrikson & Byron hosted a CLE titled *Patently Relevant: Recent Developments in Patent Litigation*. Panelists included **Judge Donovan W. Frank**, **Magistrate Judge Jeffrey J. Keyes**, **Matthew Samuels** of Fish & Richardson, and **Aaron Myers** of Barnes & Thornburg. The panel was mediated by **Tim O'Shea** of Fredrikson & Byron.

The discussion centered on three main points: (1) the impact of the America Invents Act on patent litigation, particularly post-grant validity challenges and the codification of the *Seagate* standard for willful infringement claims; (2) the impact of the Federal Cir-

cuit's *Bard v. Gore* decision, holding that the objective prong of a willful infringement claim is a matter of law for the district court to decide; and (3) the impact and utility of model e-discovery orders. Unfortunately, the recency of the *CLS Bank* and *Monsanto* decisions prevented in-depth discussion regarding those opinions, but they may be prime candidates for the next *Patently Relevant* session.

**Samuel L. Walling** is an attorney with Robins, Kaplan, Miller & Ciresi LLP, and practices in the areas of intellectual property, securities and business litigation.



## **PRO SE PROJECT HOSTED SUCCESSFUL TRAINING SEMINARS FOR VOLUNTEER ATTORNEYS**

The *Pro Se* Project held its first seminar on April 18, 2013 to educate attorneys on employment and civil rights laws – the types of cases the Court most often refers to the *Pro Se* Project – and to encourage participation in the *Pro Se* Project and the recently implemented Pilot Early Settlement Conference Project (“ESCP”). Steven Andrew Smith, Nichols Kaster, PLLP; Kelly Jeanetta, Kelly A. Jeanetta Law Firm, LLC; and Karin Ciano, Karin Ciano Law, PLLC; presented on the employment law panel, and Ryan Vettelson, Gaskins Bennett Birrell Schupp LLP; David Shulman, Law Office of David L. Shulman, PLLC; and Dan Hedlund, Gustafson Gluek, PLLC; were presenters on the civil rights panel. Chief Magistrate Judge Arthur J. Boylan and Magis-

trate Judge Steven E. Rau spoke to the attendees on alternative means to evaluate *Pro Se* Project cases and the benefits of participating in the *Pro Se* Project. Lunch was provided, and the well-attended all-day seminar was followed by a cocktail and hors d'oeuvres reception.

The *Pro Se* Project's second seminar, held on May 16, 2013, educated lawyers in Social Security Disability Income (SSDI) appeals, cases the Court frequently refers to the *Pro Se* Project. Magistrate Judge Franklin L. Noel; Fay E. Fishman, Peterson & Fishman, PLLP; and Laurence Reszetar, Maslon Edelman Borman & Brand, LLP; presented on SSDI law, issue spotting, brief writing, attorney fees, and ethical considerations for working on SSDI appeals. Lunch was served to the attendees in this half-day seminar.

Thanks to Chief Judge Michael J. Davis, both seminars were held in the jury assembly room of the Minneapolis Courthouse. Rhonda Firner of Carlson Caspers Vandenburg Lindquist & Schuman played an instrumental role in organizing and overseeing both seminars. Special thanks goes out to Lou Jean Gleason, U.S. District Court's Minneapolis Division Manager, Mary McKay, Executive Assistant to the Clerk of Court, Katie McCarthy, U.S. District Court Jury Clerk, and Andy Seldon, U.S. District Court Director of Information Services for their excellent work in making the *Pro Se* Project seminars a tremendous success.



Steven A. Smith, Nichols Kaster, PLLP (above) and Kelly Jeanetta, Kelly A. Jeanetta Law Firm, LLC (below) presented Employment Law 101, and were later joined for a panel discussion by Karin Ciano, Karin Ciano Law, PLLC.



### **Chief Judge Davis Recognized *Pro Se* Project Volunteer Attorneys at Duluth's Annual Law Day**

Chief Judge Davis was the keynote speaker at the May 1, 2013 annual Law Day luncheon in Duluth. In his address to the packed luncheon audience, Chief Judge Davis stressed the importance of *pro bono* work, encouraged participation in the *Pro Se* Project as a means to fulfill *pro bono* obligations, and recognized Duluth attorneys who have volunteered through the *Pro Se* Project. Magistrate Judge Leo I. Brisbois, retired Magistrate Judge Raymond L. Erickson, and Tiffany Sanders, *Pro Se* Project Coordinator, attended the luncheon. Due to Chief Judge Davis' enthusiastic endorsement of the *Pro Se* Project and his sincere appreciation of the volunteers, several Duluth attorneys expressed their





Dan Hedlund, Gustafson Gluek, PLLC; Ryan Vettelson, Gaskins Bennett Birrell Schupp LLP; and David Shulman, Law Office of David L. Shulman, PLLC, presented on Civil Rights 101.

interest in participating in the *Pro Se* Project. The timing was fortunate as Magistrate Judge Brisbois referred four cases venued in Duluth to the project on May 8, 2013.

#### Judge Schiltz Presented on the *Pro Se* Project to Dorsey & Whitney's Litigation Group

At the generous invitation of George Eck, the Honorable Patrick J. Schiltz and Tiffany Sanders presented to the litigation group at Dorsey & Whitney on the *Pro Se* Project and the importance of their lawyers' participation. Judge Schiltz explained the benefits of volunteering through the *Pro Se* Project to the *pro se* litigants who have no legal training, to the Courts that are increasingly doing more with fewer resources, and to the lawyers themselves by enriching their practice, gaining experience, and preventing "atrophy" that can occur when attorneys consistently practice in the same area of the law. Judge Schiltz and Ms. Sanders were well received at the Dorsey & Whitney firm, invited back to present on the Pilot Early Settlement Conference Project, and the *Pro Se* Project recruited several additional volunteer attorneys to review the Court's referrals.

#### *Pro Se* Project will Participate in Chief Legal Officers Group Seminar on In-House Counsel *Pro Bono* Work to Assist *Pro Se* Litigants

On May 30, 2013, Target Corporation will host a Chief Legal Officers Group (CLOG) seminar titled, "Here for Good:

Trends and Best Practices in Corporate *Pro Bono*." Chief Judge Michael J. Davis, along with the Honorable Wilhelmina M. Wright, Associate Minnesota Supreme Court Justice, and the Honorable Jay M. Quam, Hennepin County District Court Judge, will present on a panel moderated by Tiffany Sanders. The panel will discuss common challenges faced by the judiciary in Minnesota's state and federal courts, including the effect of increasing numbers of *pro se* litigants in the district courts. The panel will offer suggestions and examples of the varied ways in-house counsel can assist the judiciary in meeting these challenges, including participation in the *Pro Se* Project and the Pilot Early Settlement Conference Project. David March, Senior Counsel for Target, is organizing the event, and expects more than 150 in-house counsel from the Twin Cities' largest corporations to attend the CLOG seminar. CLOG's inclusion of Chief Judge Davis and Tiffany Sanders in this important seminar provides an outstanding opportunity to showcase the *Pro Se* Project to the Twin Cities' in-house counsel.



Magistrate Judge Steven E. Rau and Arthur J. Boylan shared with attendees at the *Pro Se* Project training seminar insights and perspectives from the bench on the value of the *Pro Se* Project.

**Tiffany A. Sanders** is the Coordinator of the *Pro Se* Project.

More information about the *Pro Se* Project is available at

<http://www.fedbar.org/Chapters/Minnesota-Chapter/Chapter-Initiatives.aspx>.

FBA members interested in volunteering may contact **Tiffany Sanders** at [proseproject@q.com](mailto:proseproject@q.com) or (612) 965-3711.



# Discovery Management.

dis•cov•ery man•age•ment

\ˈnait.ɪ.əʊl\ \dis-ˈkə-v(ə-)rē\

noun

- 1 a. the act or process of partnering with a nationally trusted company that will guide your organization clearly through each step of the complex discovery process with best-practices and proven workflows
- 2 a. a programmatic approach with cost-predictable, flat-rate, fully-managed discovery programs to suit your unique business needs
- b. flexible and dynamic multi-year engagements which help lower capital expenditures and improve defensibility by use of an expert partner



**NightOwlDiscovery**  
www.nightowldiscovery.com

For more information, please contact  
Adam Rubinger at 612.834.2000

*Printed Courtesy of NightOwl Discovery on Recycled Paper*

## Communications Committee

### Ashlee Bekish

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

### Marc Betinskky

Law Clerk to the Honorable Richard H. Kyle

### Kate Buzicky

Assistant United States Attorney

### Tara Craft

Seaton, Peters & Revnew, P.A.

### Trish Furlong

Law Clerk to the Honorable Steven E. Rau

### Michael Goodwin

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

### Jeff Justman

Faegre Baker Daniels, L.L.P.

### Steve Katras

Law Clerk to the Honorable Janie S.  
Mayeron

### Katherine Kelly

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

### Kirstin Kanski (Co-Chair)

Lindquist & Vennum L.L.P.

### Jon Marquet

Bassford Remele, P.A.

### Adine S. Momoh

Leonard, Street and Deinard, P.A.

### Kerri Nelson

Bassford Remele, P.A.

### Erin Oglesbay

Target Corp.

### Timothy O'Shea

Fredrikson & Byron, P.A.

### Paul Sand

Larson King, L.L.P.

### Tammy Schemmel (Co-Chair)

Barna, Guzy & Steffen, Ltd.

### Ryan Schultz

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

### Paige Stradley

Merchant & Gould, P.C.

### Bridgett Sullivan

Shepherd Data Services

### Vildan Teske

Crowder Teske, P.L.L.P.

### Kathryn Uline

United States District Court, Clerk of  
Court's Office

### Joe Wearmouth

Barna, Guzy & Steffen, Ltd.

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



# connect



## through the Federal Bar Association

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

### Advocacy

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

### Networking

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

### Leadership

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

### Learning

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

## expand your connections, expand your career

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

## FEDERAL BAR ASSOCIATION APPLICATION FOR MEMBERSHIP (CONTINUES ON REVERSE)

### Applicant Information

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

☐ Male ☐ Female

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

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

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

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

### Bar Admission and Law School Information (required)

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

### Practice Information

#### PRACTICE TYPE

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

#### PRIMARY PRACTICE AREAS

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



### Membership Levels

#### SUSTAINING MEMBERSHIP

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

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

#### ACTIVE MEMBERSHIP

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

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

#### ASSOCIATE MEMBERSHIP

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

Dues Total: \$ \_\_\_\_\_

### Practice Area Sections

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

### Career Divisions

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

\*For eligibility, date of birth must be provided

Sections and Divisions Total: \$ \_\_\_\_\_

### Chapter Affiliation

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

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

Chapter Total: \$ \_\_\_\_\_

## Payment Information and Authorization Statement

### TOTAL DUES TO BE CHARGED

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

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

Name on card (please print)

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

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

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

Signature of Applicant

Date

(Signature must be included for membership to be activated)

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