

# *The FORUM*

Newsletter of the District of Columbia Chapter  
of the Federal Bar Association

2013 - Volume I



## President's Message



By Steven R. Miller, Esq.

This is my second (and final year) as President of the DC Chapter of the Federal Bar Association (FBA). I am happy to report that *The FORUM* received a Meritorious Newsletter Award at the 2012 National Convention in San Diego and our Chapter Received an Outstanding Activities Award [Read More](#)

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## Privacy Rights and Ethical Tensions in Medicine and Research



By Gerald Schatz, Esq.

Personal privacy rights in medicine and in biomedical and behavioral research are rooted in law and ethics but too often ignored or dismissed as relict, unimportant or entirely irrelevant. The reasons include ignorance, cynicism, greed, insitutional pressures, good intentions, therapeutic illusions

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and difficulty of enforcement. Privacy and confidentiality in medicine and research are not dead legally or ethically but are under substantial challenge, with serious implications for medicine, research and individual liberty.

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## **Congress Enacts Federal Phased Retirement Program with FBA Suggested Fix**

By John A. Tolleris, Esq.

Due to the unfortunate experience of a federal government attorney who recently reported having been credited with less than half the management-approved compensatory time worked within a pay period, the FBA Washington D.C. Chapter has learned that GS-14 and 15 level attorneys who perform and earn a significant number of management-approved compensatory hours within a two-week pay period face a little known compensation cap trap. [Read More](#)

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## **Annual Justice Tom C. Clark Award Ceremony and Profile of The Honorable Royce C. Lamberth**

By Patricia Ryan, Esq.

On March 7, 2013, the District of Columbia Chapter of the Federal Bar Association held its annual award ceremony at the Supreme Court of the United States for the 2012 recipient of the Justice Tom C. Clark Award for Outstanding Government Lawyer - The Honorable Royce C. Lamberth, Chief Judge of the United States District Court for the District of Columbia.

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## **Latest DC Federal Court Statistics: District Court Filings are Down, Appellate Filings are Up**

By Ruth Vernet, Esq.

The decrease in the number of cases filed in the U.S. District Court for the District of Columbia Civil during the 12 month period ending September 30, 2012, substantially exceeded the national average, according to statistics released on March 12, 2013, by the Administrative Office of U.S. Courts.

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## **Hot Topics in Qui Tam Litigation**

By R. Scott Oswald, Esq.



SOLACE meeting 5/15/2013 with Washington, D.C. Pro Bono public representatives outside US District of Columbia for DC Courthouse, l-r, DC Chapter National Delegate, Brian C. Murphy, DC Chapter President, Steven R. Miller, Judge Jay Zainey (E.D., LA) SOLACE Co-founder, DC Chapter Board Members, Diana Wielocha and Jonathan Lasken



Judge Jay Zainey (E.D., LA) SOLACE Co-founder



Supreme Court lecture and remarks with General William Suter, 4/9/2013, l-r: DC Chapter Board

How do the recent 2009 and 2010 amendments to the False Claims Act ("FCA") affect litigating *qui tam* suits today? What should realtors' counsel and Government attorneys know in order to navigate the differing judicial application of the applied false certification theory? When can defense counsel raise public disclosure and proper pleading defenses? What factors does the Government consider when deciding to intervene and when?

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## **Chief Judge Royce Lamberth [United States District Court for the District of Columbia] Hosts SOLACE Meeting with Washington, D.C. Pro Bono Publico Representatives**

By Brian C. Murphy, Esq.

On May 15, 2013, Chief Judge Royce Lamberth [United States District Court for the District of Columbia], long a stalwart friend of the District of Columbia Chapter of the Federal Bar Association along with The Honorable Jay Zainey [E.D.LA] hosted pro bono publico representatives from several prominent law firms and governmental and non-governmental organizations, at the United States Courthouse, to discuss the implementation of SOLACE [Support for Lawyers and Legal Personnel-All Concern Encouraged] in and for the Washington, D.C. legal community.

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## **DC Chapter Represented at Mid-Year Meeting**

By Brian C. Murphy, Esq.  
DC Chapter Delegate to the National FBA

Chapter President Steve Miller, Circuit Vice President for the District of Columbia Circuit Ron Crump and Chapter Board Members Robie Beatty, Prakash Khatri, Brian Murphy, Miles Ryan, and John Tolleris represented the Chapter at the FBA Mid-Year Meeting on April 6, 2013, held at the Westin Arlington Gateway Hotel.

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## **Membership Corner**

By Robie Beatty, Esq.

Membership is key to any organization. After all, without members, there is no organization. The leadership of the Federal Bar Association knows this to be true and has made membership a key part of its

**Member John Tolleris, Immediate Past President Robie Beatty, General William Suter, Clerk, Supreme Court, DC Chapter President Steven Miller**



**Tom C. Clark Award Reception Honoring Chief Judge Royce Lamberth, 3/7/2013**

**I-r: DC Chapter Treasurer, Silvio Krvaric, DC Chapter Vice President Frances Scalfani, DC Chapter President-Elect, Cary Devorsetz**

## **FBA ANNUAL MEETING AND CONVENTION, September 26-28, 2013** San Juan, Puerto Rico



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## **Special Message from DC Chapter President, Steven R. Miller**

I would like to congratulate President-elect Cary Devorsetz and his wife on the birth of their son, Ethan William, on 5/28/2013, 8 lbs. 11 oz.

agenda for several years. This year is no exception. All chapters of the Federal Bar Association have been asked to create membership programs that have helped each individual chapter to increase the number of its new and returning members. [Read More](#)



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