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Fall 2019

perspectives

Message From the Chair

by Joey Bowers

It's hard to believe that September is already here and that the YLD year is almost over. It has been an honor to serve as the YLD Chair, and I have enjoyed getting to meet many of you throughout the year.

I want to commend YLD Board Member Ashley Akers and her committee for their work on the Summer Law Clerk Program. Over 200 law students registered to participate in this year's Program, which commenced in June with a kickoff ceremony and reception at the U.S. District Court for the District of Columbia. The Program included six panel discussions throughout the summer on topics ranging from careers in tax law to what it's really like to be an Assistant United States Attorney for DOJ. The Program also provided law students with the opportunity to visit the legal offices of various federal agencies in order to learn more about the work they perform to support their agency's missions. The Program concluded in July with a reception at the FBA National Headquarters, where attendees won some great raffle prizes and were able to learn more about all of the wonderful benefits of being a member of the FBA. The YLD is especially thankful for the support of the FBA National Staff, U.S. Army JAG Corps, the D.C. Chapter, the Federal Litigation Section, and the Veterans and Military Law Section during this year's Program.

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An Introduction to the Federal False Claims Act

by Jason Marcus

The Federal Bar Association has 24 substantive law sections available to members, including the Qui Tam Section. If you read that sentence and asked "what the heck is qui tam?", then this article is for you!

A *qui tam* statute is one that allows a private citizen to bring a civil action on behalf of the government. The most well-known *qui tam* statute is the False Claims Act (the "FCA"), which enables a whistleblower (or "relator") to file a lawsuit alleging that the defendant is defrauding the government. The FCA incentivizes whistleblowers to come forward—often risking their careers and personal well-being in the process—by awarding them a percentage of any recovery.

What is the False Claims Act?

The False Claims Act was enacted during the Civil War to combat fraud perpetrated by war profiteers selling defective equipment to the Union Army:

> For sugar, it often got sand; for coffee, rye; for leather, something no better than brown paper; for sound horses and mules, spavined beasts and dying donkeys; and for serviceable muskets and pistols, the experimental failures of sanguine inventors or the ruse of shops and foreign armories.[1]

Thus for the first 130 years, most FCA cases were brought to combat fraud in government contracts, particularly with the Department of Defense.

After the Civil War and amendments in 1943 that gutted the statute, the False Claims Act fell into relative obscurity. In 1986, it was amended in response to the massive increase in federal spending spurred by the Cold War. For the decade following these amendments, most FCA cases were brought by the Government, but the door had been opened for whistleblowers, whose numbers slowly increased year-by-year.

In the mid-1990s, litigators began to realize that the False Claims Act could apply to medical providers contracting with CMS for Medicare and Medicaid services. As a result, the number of *qui tams* alleging healthcare fraud skyrocketed, from 15 in 1992 to 269 in 1997.[2] A second surge in healthcare-related qui tams came about in 2010 after Congress amended the statute as part of the Patient Protection and Affordable Care Act. Now, around 500 healthcare-related *qui tams* are filed every year.

Primarily due to the uptick in healthcare cases, the number of federal qui tam cases filed nationwide has steadily increased over the last decade, from 379 cases filed in 2008 to 645 new qui tam cases in 2018. With the increase in filings has come a substantial increase in recoveries as well, averaging about $2.7 billion annually this decade.[3]

What Makes a False Claims Act Case?

A potential client walks into your office to report various wrongdoings. Your first objective is to determine whether there is any government money at issue. Sometimes the connection is clear, such as where the defendant is paid directly via federal programs, contracts, or grants. Sometimes it is less obvious, such as where a defendant causes an innocent third party to submit a false claim. For example, when pharmaceutical companies convince doctors to prescribe drugs for off-label uses (not covered by Medicare), it is the claims for reimbursement ultimately submitted by the pharmacies that are false. So ask yourself, does this affect government interests in any way?

The second question is whether there is a false claim. This is a two-parter: first, is there a "claim"—meaning a request for government money—or a "reverse claim"—meaning a statement made to avoid paying money (such as misclassifying imports to reduce customs duties)? Second, is it "false," which can mean expressly false (e.g., "I state that I rendered services that were not actually rendered") or impliedly false (e.g., "I did render the service, but I was not qualified to do so") or tainted by fraud in the inducement (e.g., "I lied to get this contract in the first place")?

The third question is whether the fraud is "material," defined by the statute as "having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property."[4] In *Universal Health Services, Inc. v. Escobar,* the Supreme Court discussed two circumstances under which this "rigorous" and "demanding" standard can be met: (1) "if a reasonable man would attach importance to it" or (2) if the defendant knew or had reason to know that the government attaches importance to it.[5]

Sometimes the answer is clear: billing at a higher unsupportable rate or as a result of an unlawful kickback are material; but a violation of the contract's or agency's font requirements is probably not. Many cases fall into a gray area, and so this is an issue that is frequently litigated.

Finally, does the defendant have the requisite scienter? The FCA's knowledge requirement includes actual knowledge, deliberate ignorance, or reckless disregard of the truth of the information. The statute does not require specific intent to defraud, but a defendant may lack scienter where

it relied on advice of counsel or where a statute or regulation was vague or ambiguous.

How do You Bring a False Claims Act Case?

You've determined that your potential client has a viable False Claims Act case – congratulations! When preparing your complaint, you must beware the Scylla and Charybdis that are Federal Rule of Civil Procedure 9(b) and the first-to-file bar. FCA complaints are subject to Rule 9(b)'s heightened pleading standard, meaning you must include particular information about not only the fraudulent practices, but also about the submission of claims. But if you take too long preparing a thorough and exhaustive complaint, you may sail too close to the first-to-file bar,[6] which states that no person may bring a related action while an earlier-filed action is pending.[7] And even if you avoid those two obstacles, other perils await, such as the public disclosure rule, which may result in the dismissal of your case if it is based on information that has already been publicly disclosed, whether known to your client or not.[8]

Unlike every other case you've ever prepared, you do **not** file your case on the public docket and you do **not** serve the defendants. First, the "original source" exception to the public disclosure bar requires you to voluntarily provide the information about your case to the Government **before** you file.[9] Then, the statute mandates that you file the case under **seal** and, again, do **not** serve the defendant.[10] (Of course all other FCA cases are also filed under seal, so it may be months or years before you find out whether you were the first to file.)

You do serve the government—the U.S. Attorney's Office and the Department of Justice—with a "copy of the complaint and written disclosure of substantially all material evidence and information the person possesses."[11] This is usually in the form of a document called a "disclosure statement" that includes everything your client knows that could help the government, along with any evidence in your possession. You do not file the disclosure statement with the court.

The government then conducts its investigation, generally meeting with your client for at least one in-depth interview. It may then choose to "intervene" in your case, which means that it takes over the litigation. If it declines to intervene, then you have the option to litigate the case on behalf of the government. Either way, the case is then unsealed. These investigations can take several years to complete, and if the government declines to intervene, the case can take several more years to litigate. And did I mention that even if it declines, the government can settle or dismiss your case at any time, for just about any reason?

What Can My Client Recover?

The FCA provides for treble damages and civil penalties to be recovered on behalf of the government and for your client to receive what's called a "relator's share" of that amount. If the government intervenes, then your client is entitled to 15%-25% of the recovery. If the government does not intervene, your client is entitled to 25%-30% of the recovery.

Moreover, the FCA is a fee-shifting statute, meaning that you are also entitled to your reasonable attorneys' fees, costs, and expenses to be paid by the defendants.

Are You a Thrill-Seeker?

The False Claims Act is unique in its possibilities and pitfalls. But if you are one to throw caution to the wind (or, conversely, are a conservative defense attorney who is intrigued by the many ways in which you can get an FCA case dismissed), join the qui tam section and see what we are all about!

Jason Marcus is a partner at Bracker & Marcus LLC in Atlanta. He has exclusively represented relators in qui tam actions nationwide since 2008. He is on the board of the FBA's Qui Tam Section and is the founder of the Young Lawyers Division of the nonprofit Taxpayers Against Fraud. Jason loves to talk about the False Claims Act and can be reached at Jason@fcacounsel.com.

Endnotes:

[1]*United States ex rel. Newsham v. Lockheed Missiles and Space Co., Inc.*, 722 F. Supp. 607, 609 (N.D. Cal. 1989).

[2]*See* 2018 False Claims Act statistics, available at https://www.justice.gov/civil/page/file/1080696/download

[3]*Id.*

[4]31 U.S.C. § 3729(b)(4).

[5]136 S. Ct. 1989, 195 L. Ed. 2d 348 (2016).

[6]31 U.S.C. § 3730(b)(5).

[7]Also known colloquially as the Ricky Bobby Rule: "If you ain't first, you're last!"

[8]31 U.S.C. § 3730(e)(4).

[9]31 U.S.C. § 3730(e)(4)(B).

[10]31 U.S.C. § 3730(b)(2).

[11]31 U.S.C. § 3730(b)(2).

"Unanticipated Consequences": U.S. Supreme Court "Knicks" State Appropriation Proceedings prior to filing Fifth Amendment Takings Claims in Federal Court

by Michael D. Rice, Esq.

The Fifth Amendment of the United States Constitution's Takings Clause provides that "private property [shall not] be taken for public use, without just compensation."[1] While the Fifth Amendment itself only applies to actions by the federal government, the Fourteenth Amendment extends the Takings Clause to actions by state and local governments.

In Ohio, a party who alleged a physical or regulatory Fifth Amendment taking of property was first required to file a mandamus action in state court in order to compel public authorities involved to institute appropriation proceedings.[2] Also known as "inverse condemnation," this procedure was held to be "reasonable, certain, and adequate" to seek just compensation before filing a takings claim in federal court.[3] Known as "*Williamson County*" after the 1985 U.S. Supreme Court decision *Williamson County Regional Planning Commission v. Hamilton Bank of Johnson City*, the law was that a takings claim was not ripe in federal court until mandamus was finalized and the property owner had been denied just compensation.[4] Hence, federal courts lacked subject matter jurisdiction over such claims. [5]That was until June 21, 2019, when the U.S. Supreme Court overturned *Williamson County* in *Knick v. Township of Scott Pennsylvania*.[6]

In *Knick*, the petitioner owned real property in Scott Township, Pennsylvania where a small "backyard burial" graveyard was located.[7] In 2012, the Township passed an ordinance requiring "[a]ll cemeteries . . . be kept open and accessible to the general public during daylight hours."[8] In 2013, a Township officer notified the petitioner that she was violating the ordinance by failing to keep her cemetery open. The petitioner first filed a lawsuit in Pennsylvania state court for declaratory and injunctive relief. In response, the Township agreed to stay enforcement of the ordinance during the state court proceedings. However, from the Township's stay, the state court dismissed the petitioner's claims since she could not demonstrate the irreparable harm required for her claims.

The petitioner then filed a 42 U.S.C. § 1983 action in district court and alleged that the Township's ordinance violated the Takings Clause of the Fifth Amendment. The district court dismissed the petitioner's claim under *Williamson County* because she had not first pursued an inverse condemnation action in state court. On appeal, the Third Circuit Court of Appeals affirmed, from which the U.S. Supreme Court granted certiorari. In its 5-4 decision, on behalf of the majority, Chief Justice Roberts recognized the "unanticipated consequences" of *Williamson County*.[9] For example, in citing to its 2005 decision in *San Remo Hotel, L.P. v. City and County of San Francisco, California*, the majority recognized that under *Williamson County*, a plaintiff who first brought a takings claim in state court with the intent to reserve a later Fifth Amendment takings claim would be barred from doing so under the full faith and credit statute if the state claim was unsuccessful.[10] The majority characterized *San Remo*'s circumstances and its analysis under *Williamson County* as an unanticipated "Catch-22" and "prelusion trap."[11]

The majority further reviewed its previous decisions to demonstrate *Williamson County's* inconsistency, its "neglect[,]" and effect on "Fifth Amendment precedents."[12] For example, in citing to *First English Evangelical Lutheran Church of Glendale v. County of Los Angeles*, a decision decided two years after *Williamson County*, the majority described *First English* as the Court "return[ing] to the understanding that the Fifth Amendment right to compensation automatically arises at the time the government takes property without paying for it" and that such a right is "irrevocable."[13] The majority further reviewed its 1984 decision in *Ruckelshaus v. Monsanto Company* and its 1981 decision in *Parratt v. Taylor*, both of which were relied on in *Williamson County*, to find that the Court in *Williamson County* "was simply confused" and relied on "poor reasoning."[14] In disregarding *stare decisis*, and further citing to the intent of the Framers and a brief history of takings litigation, the majority concluded that a government violates the Takings Clause at the moment it takes property without compensation, and that a property owner may bring a Fifth Amendment claim under 42 U.S.C. § 1983, without delay, regardless of available post-taking remedies.

But the majority opinion did not end there. The majority explained that *Williamson County* "was not just wrong. Its reasoning was exceptionally ill-founded and conflicted with much of our takings jurisprudence."[15] The majority further styled the effect of *Williamson County* as having "shaky foundations" that was "in search of a justification for over 30 years."[16] And in further attempting to soothe anticipated concerns from its decision, the majority noted that "[o]ur holding that uncompensated takings violate the Fifth Amendment will not expose governments to new liability; it will simply allow into federal court takings claims that otherwise would

have been brought as inverse condemnation suits in state court."[17]

On behalf of the dissent, Justice Kagan found that the majority's opinion "has no basis in the Takings Clause" and that "[i]ts consequence is to channel a mass of quintessentially local cases involving complex state-law issues into federal courts."[18] The dissent prefaced its opinion with Takings Clause dictum: that a person is free from a taking *only* when the government fails to provide just compensation. The dissent acknowledged that there exists no universal prohibition for a government taking, and that the Takings Clause uniquely conditions that a taking may occur as long as the government fairly pays the property owner. The dissent further relied on its 1890 decision in *Cherokee Nation v. Southern Kansas Railway Company* and 1912 decision in *Crozier v. Krupp A.G.* to undermine the majority's portrayal of contemporaneous takings and compensation.[19] The dissent elaborated that "[a]ll that *Williamson County* did was to put the period on an already-completed sentence about when a takings claim arises[,]" and that the majority's decision "smashes a hundred-plus years of legal rulings to smithereens."[20] The dissent further advised that "maybe the majority should take the hint: [w]hen a theory requires declaring precedent after precedent after precedent wrong, that's a sign the theory itself may be wrong."[21]

The dissent specifically noted that overruling *Williamson County* will have two damaging consequences. First, it will turn well-meant government officials into lawbreakers, since it regularly is not known in advance whether applying an ordinance or practice will affect a taking. And second, it undermines important principles of judicial federalism by channeling a massive set of cases into federal court that belong in state court in the first instance. As Justice Kagan aptly identified, the majority opinion "makes federal courts a principal player in local and state land-use disputes."[22]

Indeed, the decision in *Knick* bolsters the rights for property owners and developers by opening the floodgates to federal takings claims to be pursued in the first instance in federal court. Although *Knick* does not alter the standards in which federal courts review such claims, like backyard burials, reviews of a vast array of local government ordinances and practices will become an everyday practice in federal court. The additional benefits for property owners and developers to have a federal court review an alleged taking in the first instance are unknown. And while unanticipated consequences will likely endure from *Knick*, it is almost certain that state appropriation proceedings will be bypassed and local governments will see a marked increase in the number of takings cases being filed in the first instance in federal court.

Michael D. Rice, Esq. is an associate attorney at Surdyk, Dowd & Turner Co., LPA in Dayton, Ohio. His primary areas of practice include municipal law, insurance defense, and business/commercial litigation. Michael is the immediate past chair of the Young Lawyers Committee for the Dayton Chapter of the Federal Bar Association, and remains a member of the Younger Lawyers Division of the Federal Bar Association.

Endnotes:

[1]U.S. Const. amend V.

[2]Ohio Rev. Code §§ 163.01–163.62; *see also Silver v. Franklin Tp. Bd. of Zoning Appeals*, 966 F.2d 1031, 1035 (6th Cir. 1992).

[3]*Coles v. Granville*, 448 F.3d 853, 861, 865 (6th Cir. 2006).

[4]*Williamson County Regional Planning Com'n v. Hamilton Bank of Johnson City*, 473 U.S. 172, 199-200, 105 S.Ct. 3108 (1985).

[5]*Bigelow v. Mich. Dep't of Natural Res.*, 970 F.2d 154, 157 (6th Cir.1992).

[6]*Knick v. Township of Scott Pennsylvania*, 139 S.Ct. 2162 (2019).

[7]*Id*. at 2168

[8]*Id.*

[9]*Id.* at 2169, 2174.

[10]*Id.* at 2169, citing *San Remo Hotel, L.P. v. City and County of San Francisco, Cal.*, 545 U.S. 323, 125 S.Ct. 2491 (2005); *see also* 28 U.S.C. § 1738.

[11]*Id.* at 2167.

[12]*Id.* at 2171.

[13]*Id.* at 2171-72, citing *First English Evangelical Lutheran Church of Glendale v. County of Los Angeles*, 482 U.S. 304, 107 S.Ct. 2378 (1987).

[14]*Id.* at 2173-75, citing *Ruckelshaus v. Monsanto Co.*, 467 U.S. 986, 104 S.Ct. 2862 (1984); *see also Parratt v. Taylor*, 451 U.S. 527, 101 S.Ct. 1908 (1981).

[15]*Id.* at 2178.

[16]*Id.*

[17]*Id.* at 2179.

[18]*Id.* at 2181.

[19]*Id.* at 2182, citing *Cherokee Nation v. Southern Kansas R. Co.*, 135 U.S. 641, 10 S.Ct. 965 (1890); *see also Crozier v. Krupp A.G.*, 224 U.S. 290, 32 S.Ct. 488 (1912).

[20]*Id.* at 2183.

[21]*Id.* at 2186.

[22]*Id.* at 2189.

Chicago Chapter of the Younger Lawyers Division Hosts "Case Today Program" in Partnership with Local High School

by Joseph D. D. Sweeny

This year the Federal Bar Association Chicago Chapter's Young Lawyer Division ("YLD") hosted its second annual "Case Today" Program. For the past two years, the Chicago YLD has put on the Program thanks to the national Federal Bar Association's Ilene and Michael Shaw Younger Lawyer Public Service Grant. The Program is a joint venture between the YLD and a local Chicago high school, Muchin College Prep. The Program's leaders coordinate a focused group of students in weekly class sessions with FBA members and volunteers helping the students perpare for a live moot court competition before two federal judges in The Dirksen United States Courthouse. This year, the case the students were assigned to study, analyze, and ultimately argue was *The American Legion v. The American Humanist Association*, No. 17-1717, 588 U.S. ___ (June 20, 2019).

The issue before the court in *American Legion* was whether the government-funded display and maintenance of a 40-foot-tall cross-shaped war memorial placed at a public highway intersection violated the Establishment Clause of the First Amendment because of its relation to Christianity.

The students were divided into groups in which they represented either the Petitioner or Respondent and given briefs of the past cases forming constitutional Establishment Clause precedent. The opinions in these precedential cases interpreted the constitutionality of all sorts of religious symbolism from crèches, to menorahs, to the Ten Commandments in public buildings, which gave the students a wide variety of colorful fact patterns and context. The students immediately became engaged in the project and classrooms sessions developed into part interactive civics classes/part Socratic law school discussions. At times the students broke off into smaller micro groups, picking apart the finer details of their arguments with the assistance and guidance of seasoned practitioners.

This year, the YLD was honored to have local practitioner Jim Sotos, Assistant United States Attorney Sheri Mecklenburg, and United States Magistrate Judge Jeffrey Cole volunteer their time to speak with the students about constitutional law, the historical sacrosanctity of separation between church and state, and more broadly, about their careers in law. A few students expressed their desire to apply to law school after graduating from college.

At the culmination of the program, the students broke into their designated groups and argued their cases before Judge Cole and United States District Court Judge David Weisman, in alternating five minutes oral argument sessions. At the conclusion of the oral arguments, both Judges held one-on-one question and answer sessions with the students, giving high praise to the students for their ability to grasp a truly complex and contentious issue.

Several months after the completion of the program, The Supreme Court released a 7-2 decision in favor of The American Legion, thus allowing the subject cross to stand. The majority opinion grounded its holding in the fact that while the cross originated as a Christian symbol, this particular cross had also taken on a secular meaning. The Court emphasized the historical context of this particular cross, which was erected as a memorial to the fallen soldiers of World War I.

After the decision was released, the YLD informed the participating students of the outcome. Many were surprised at The Court's decision, but all students were extremely enthusiastic in being able to see The Supreme Court decide a case they had become so closely acquainted with.

The YLD has been impressed with the success of this program and the students' engagement therein. The YLD plans to bring the program into its third year in 2020. To see a video of this year's program, please visit https://www.fedbarchicago.org/2019/09/second-annual-case-today-program-by-the-young-lawyer-division/

Joseph D. D. Sweeny is an associate in Swanson Martin & Bell LLP's Chicago office. He practices civil litigation with a focus on product liability. Mr. Sweeny played basketball at Michigan State University before graduating from the University of Maryland School of Law in 2016. He is actively engaged in the Federal Bar Association, Chicago Chapter, where he serves on the Chapter's Board of Directors and Chairs the Young Lawyers Division.

2019 YOUNGER FEDERAL LAWYER AWARD WINNERS

Originally from Atlanta, Georgia, **Chris dos Santos** attended college at the Georgia Institute of Technology and graduated from Atlanta's John Marshall Law School in 2009. From 2010 to 2014, Chris served as an active-duty Judge Advocate in the U.S. Marine Corps, where he prosecuted UCMJ offenses, was deployed to Afghanistan as the legal advisor to an infantry Battalion Commander, and served as a Special Assistant U.S. Attorney in the Eastern District of North Carolina. Since 2014, Chris has served as an AUSA in the Southern District of Texas, where he is currently assigned to the Organized Crime Drug Enforcement Task Force. Chris is currently a Major in the Marine Corps Reserves.

Eric Fuchs is an Assistant U.S. Attorney in San Antonio for the U.S. Attorney's Office for the Western District of Texas. He primarily investigates and prosecutes complex organized crime, violent crime, and narcotics conspiracy cases. Eric led the years-long investigation and three-month jury trial of the National President and Vice President of the Bandidos Outlaw Motorcycle Organization on a variety of racketeering charges, including solving two cold-case murders—both received life sentences. He also secured life sentences after trying the Texas Mexican Mafia members responsible for the racketeering murder of a local police officer. Away from work, he enjoys bagging peaks in the Rocky Mountains and trying to keep up with his three young daughters.

Reginald E. Jones joined the U.S. Department of Justice in 2010 and currently serves as a Senior Trial Attorney with the Criminal Division's Child Exploitation and Obscenity Section (CEOS). During his tenure at CEOS, Reggie has spearheaded and played integral roles in complex, national, and international investigations and prosecutions involving some of the most prolific and dangerous offenders around the globe, including those who have attempted to hide within the anonymous world of the "dark web."

Captain Caitlin A. Marchand serves as an active-duty member of the U.S. Army Judge Advocate General's Corps. She is currently stationed at Fort Hood in Texas, where she will deploy to practice military justice and fiscal law in support of Operation Inherent Resolve. In her previous assignment at the Military District of Washington, she served as a special victims' counsel, legal assistance attorney, and the officer-in-charge of a joint tax center run by the U.S Army and U.S. Marine Corps. Captain Marchand received her J.D. and M.A. in international affairs from American University's Washington College of Law and School of International Service.

Melinda Williams graduated *cum laude* in 2003 from the Georgetown University Law Center, where she was an Assistant Editor for the American Criminal Law Review. Following graduation, Melinda was a D.C. Bar Fellow with the National Law Center on Homelessness and Poverty, joined the White Collar group at Sidley & Austin, and clerked for Federal District Judge Alexander Williams in Greenbelt, Maryland. Since 2005, Melinda has been an Assistant U.S. Attorney, first in Washington, D.C., and then in Minnesota. She currently serves as Senior Litigation Counsel, and her practice focuses on large human trafficking cases.

Save The Date

March 18-19, 2020

For over 20 years, the Thurgood Marshall Memorial Moot Court Competition has been an annual event sponsored by the Younger Lawyers Division of the Federal Bar Association. There are several aspects of the Thurgood Marshall competition that make it one of the premier moot court competitions in the country. First, every round of the competition is held at a courthouse, 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 individuals who serve as judges in the competition are either actual judges, practitioners, or scholars. This too reinforces the "real world" experience for competitors. Third, competitors have an opportunity at the awards reception that immediately follows the competition to network with federal court practitioners who travel from around the country to attend the Federal Bar Association's mid-year meeting. Finally, as an added bonus, each participant in the competition receives a free one-year membership in the Federal Bar Association. The competition, designed for two-person teams, focuses on written briefs as well as oral arguments. If you have not already done so, please notify your law school of this great opportunity.

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At the Younger Federal Lawyer Award Luncheon during the FBA Annual Meeting and Convention in Tampa, the YLD recognized five younger lawyers for their hard work and accomplishments. Be sure to check out the profile of each of the recipients at the end of this newsletter to learn more about the wonderful work they've been doing. I'm also happy to report that the YLD was recognized at the FBA National Awards Luncheon for the hard work and many achievements that our Division accomplished throughout the year. This is a testament to the dedication of all of the YLD leaders, who continue to make our Division one of the best.

Of course, much of our success is owed to the tremendous efforts and support from the FBA National Staff. For all of them, we are very grateful. I especially want to thank Alea Al-Aghbari and Laura Mulhern from the FBA National Staff for their steadfast commitment to assisting the YLD this year. The YLD could not have achieved much of what it did without them. Lastly, congratulations to Christian Adams, who was recently inducted as the new National President of the FBA. Christian is a former Chair of the YLD, and he will be an outstanding leader as the FBA enters its centennial year. With so many exciting events on the horizon, now is the perfect time to get more involved. We hope to hear from you soon!