

Federal Bar Association
2012 Annual Meeting and Convention



SAN DIEGO



September 20–22 • Manchester Grand Hyatt



United States District Court
Southern District of California
940 Front Street
San Diego, California 92101-8915

Chambers of
Barry Ted Moskowitz
Chief Judge

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Dear FBA Convention Attendees,

As Chief Judge of the United States District Court for the Southern District of California, it is my pleasure to welcome you to the 2012 Federal Bar Association National Convention in San Diego. Our Court and our legal community are honored to have the Convention in San Diego this year.

This three-day convention offers a wide variety of CLE opportunities, covering civil and criminal practice, immigration, bankruptcy, intellectual property, immigration, and environmental law. You will also have the opportunity to experience our city's unique military history aboard the aircraft carrier U.S.S. Midway.

I commend all of you and the FBA for your ongoing dedication to improving the federal legal system and the education and advocacy of federal practitioners.

On behalf of the entire federal bench in the Southern District of California, I wish you an educational and enjoyable experience in San Diego.

Sincerely,

A handwritten signature in black ink that reads "Barry Ted Moskowitz".

Barry Ted Moskowitz
Chief Judge
United States District Court
Southern District of California



JERRY SANDERS
MAYOR

WELCOME TO THE
**FEDERAL BAR
ASSOCIATION'S**

2012 ANNUAL MEETING & CONVENTION

September 20-22, 2012

On behalf of the City of San Diego, I am pleased to welcome everyone in attendance at the Federal Bar Association's 2012 Annual Meeting and Convention.

Since 1920, the Federal Bar Association has continued to uphold the honor of the legal profession. Each convention is an opportunity to enhance professional growth and development, strengthen skills, and maximize individual practices and career growth potential, while also furthering the honorable objectives of the Federal Bar Association. We are honored to have such a prestigious association and group of individuals visiting our city.

We are pleased that you have selected *America's Finest City* as the host city for your convention. San Diego is full of history and diverse cultures, and home to famous venues such as the San Diego Zoo, Balboa Park, USS Midway Carrier Museum, Sea World, and many museums, parks, beaches and restaurants that I know you will find very enjoyable. I invite you to explore our beautiful city during your stay here.

Please accept my best wishes for a memorable convention, and a pleasant stay in San Diego. I hope that you will come back and visit us again soon.

Sincerely,

A handwritten signature in blue ink, appearing to read "JS" or "Jerry Sanders".

JERRY SANDERS
Mayor

ONSITE SCHEDULE AT A GLANCE

Wednesday, Sept. 19

2:00–5:00 p.m. Registration Desk Open.....Lobby in Seaport Tower

Thursday, Sept. 20

7:30 a.m.–5:00 p.m. Registration Desk Open.....Manchester Foyer

8:00 a.m.–5:00 p.m. Exhibits Open.....Manchester Foyer

8:00–8:30 a.m. Welcome and Remarks Manchester A

8:30–9:30 a.m. Session 1A: Legal Standards and Effective Advocacy: How to Use the Law to Persuade Manchester A

Session 1B: Veterans in Criminal Court: Resources for Change..... Manchester D
Sponsor: Veterans Law and Criminal Law Sections

9:30–9:45 a.m. Break

9:45–10:45 a.m. Session 3A: Hot Topics in International Environmental Law Manchester A
Sponsor: Energy, Environment, and Natural Resources Law Section

Session 3B: Professional Liability and Legal Malpractice (Ethics) Manchester D
Sponsor: Professional Ethics Committee

10:45–11:00 a.m. Break

11:00 a.m.–12:15 p.m. Session 2: Supreme Court Review of the 2011–2012 Term and Preview of the Upcoming Term..... Manchester A

12:15–12:30 p.m. Break

12:30–2:00 p.m. Foundation of the FBA Fellows Luncheon Manchester G

2:00–2:15 p.m. Break

2:15–3:45 p.m. Session 4A: The Supreme Court’s 2011 Class Action Revolution—A One Year Retrospective Manchester A
Sponsor: Federal Litigation Section

Session 4B: The Tribal Law and Order Act and Its Effect on California Manchester D
Sponsor: Indian Law Section

3:45–4:00 p.m. Break

4:00–5:00 p.m. Session 5A: Immigrant Rights Under the Constitution Manchester A
Sponsors: Civil Rights Law and State and Local Government Relations Sections

Session 5B: Confirm or Ignore? Social Media Technologies Offer a Wealth of Evidence for Litigators..... Manchester D

5:00–6:00 p.m. Federal Litigation Section Happy Hour Emma AB (3rd Floor Seaport Tower)

6:30–9:30 p.m. Reception at the U.S.S. Midway Museum Buses pick up at Kettner Entrance, Lobby Level in the Harbor Tower.

Friday, Sept. 21

7:30 a.m.–4:00 p.m.	Registration Desk Open.....	Manchester Foyer
8:00 a.m.–4:00 p.m.	Exhibits Open.....	Manchester Foyer
8:00–8:40 a.m.	Ninth Circuit Swearing In Ceremony	Manchester F
8:45–9:45 a.m.	Session 6A: <u>Padilla v. Kentucky</u>: Vacating Criminal Convictions—A Practitioner’s Guide..... Sponsor: Immigration Law Section	Manchester A
8:45–9:45 a.m.	Session 6B: Trends in Labor and Employment Law: A Panel Discussion Sponsor: Labor and Employment Law Section	Manchester D
9:45–10:00 a.m.	Break	
10:00–11:00 a.m.	Session 7A: The Expansion of Federal Criminal Jurisdiction Sponsor: Criminal Law Section	Manchester A
	Session 7B: Patent Litigation Under the AIA—Strategic Use of New USPTO Post-Grant Oppositions.....	Manchester D
11:00–11:15 a.m.	Break	
11:15 a.m.–12:15 p.m.	Session 8A: The 10 Bankruptcy Cases From the Past Year That Will Affect Your Law Practice..... Sponsor: Bankruptcy Law Section	Manchester A
11:15 a.m.–12:15 p.m.	Session 8B: How Big Data Affects eDiscovery.....	Manchester D
12:15–12:30 p.m.	Break	
12:30–2:00 p.m.	Younger Federal Lawyer Awards Luncheon	Manchester G
2:15–3:30 p.m.	Session 9: Survive and Thrive: Perspectives for a Younger Lawyer Sponsor: Younger Lawyers Division	Manchester A
2:15–3:45 p.m.	Vice Presidents for the Circuits Training.....	Manchester D
2:15–4:15 p.m.	Federal Bar Building Corporation Board Meeting.....	Oxford
4:30–6:00 p.m.	Sections and Divisions Happy Hour	Emma AB (3rd Floor Seaport Tower)
6:00–9:00 p.m.	Open Air Fiesta by the San Diego Bay.....	Seaport Courtyard in Harbor Tower (Lobby Level, walk towards Sally’s Restaurant)

Saturday, Sept. 22

7:30 a.m.–5:00 p.m.	Registration Desk Open.....	Manchester Foyer
8:30–9:45 a.m.	Vice Presidents for the Circuits Meeting	Manchester D
8:30–11:00 a.m.	Section and Division Chairs Meeting	Manchester E
9:30–11:30 a.m.	Foundation of the FBA Board Meeting.....	Oxford
10:00–11:30 a.m.	Chapter Education Program Presented by the Vice Presidents of the Circuits.....	Manchester A
11:30–11:45 a.m.	Break	
11:45 a.m.–1:45 p.m.	FBA Awards Luncheon.....	Manchester G
1:45–2:00 p.m.	Break	
2:00–5:00 p.m.	National Council Meeting	Manchester AB
6:30–10:30 p.m.	Reception and Presidential Installation Banquet.....	Manchester G



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and commend the FBA on its commitment to serving as a catalyst for communication between the Bar and the Bench.

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CLE SESSIONS

Thursday, Sept. 20

8:00–8:30 a.m. Welcome and Remarks

SPEAKER: CHIEF JUDGE BARRY TED MOSKOWITZ

8:30–9:30 a.m. Session 1A: Legal Standards and Effective Advocacy: How to Use the Law to Persuade

SPEAKERS: JUDGE J. CLIFFORD WALLACE; JUDGE IRMA E. GONZALEZ; JUDGE MICHAEL DALY HAWKINS; CATHERINE E. STETSON (MODERATOR)

Much as the laws of physics explain occurrences in the natural world, applicable legal standards help to explain how judges approach the adjudication of cases before them—during motion practice, at trial, and on appeal. In this session, three highly-regarded federal judges explain why legal standards are vital to their task, and discuss how practitioners can best use them to achieve favorable results for their clients at the pretrial, trial, and appellate stages.

Session 1B: Veterans In Federal Criminal Court: Resources for Change

Sponsor: Veterans Law and Criminal Law Sections

SPEAKERS: MAGISTRATE JUDGE PAUL WARNER; KATRINA EAGLE; WILLIAM J. "BILL" SHEPPARD; JOY VILLAVICENCIO; GEOFF CHESHIRE (MODERATOR)

A large and growing number of military veterans are returning from serving their country with mental and neurological issues that bring them into contact with the criminal justice system, including the federal courts. This distinguished panel brings a wealth of practical knowledge to help lawyers, judges, and other participants in the courts better understand, identify, and assist those who have given so much to serve us.

9:45–11:00 a.m. Session 2: Supreme Court Review of the 2011-2012 Term and Preview of the Upcoming Term

SPEAKER: DEAN ERWIN CHEMERINSKY

Dean Erwin Chemerinsky will provide a review of the key cases decided by the U.S. Supreme Court during the 2011–2012 term. Dean Chemerinsky will highlight both the key civil and criminal cases, and provide insight and analysis on how the term's cases will shape lower court jurisprudence, spur Congressional action, and impact the practice of law in federal court. Of particular interest will be the Court's ruling on the constitutionality of the Affordable Care Act.

11:15 a.m.–12:15 p.m. Session 3A: Hot Topics in International Environmental Law

Sponsor: Energy, Environment, and Natural Resources Law Section

SPEAKERS: JOHN CRUDEN; PROF. DON BROWN; KENNETH GELBURD (MODERATOR)

The intersection of international and environmental law continues to be an ever-changing and fast growing field, and our distinguished speakers bring a tremendous wealth of knowledge and experience to the table. John Cruden, president of the Environmental Law Institute, will discuss the major trends shaping the field, addressing the question, "Where is the U.S. at right now regarding global environmental issues, and where are we going?" Professor Brown, an expert in the ethics of climate change, will address the current state of international law and ethics concerning climate change in the aftermath of "Rio Plus 20," the follow-up to the 1992 United Nations Conference which led to the International Convention on Climate Change.

Session 3B: Professional Liability and Legal Malpractice

Sponsor: Professional Ethics Committee

SPEAKERS: RONALD MALLEN

Ronald Mallen of Hinshaw & Culbertson LLP, co-author of the five-volume treatise *Legal Malpractice*, will discuss the history and the evolution of legal malpractice claims and the case-within-a-case concept. He will discuss how bankruptcy proceedings have become a major source of claims against lawyers, with America's prestigious law firms as frequent targets. Mallen will discuss recent constraints on the application of securities laws to claims against lawyers and the explosive increase in claims against intellectual property lawyers. Mallen will discuss the debate over whether federal courts have exclusive subject-matter jurisdiction over state legal malpractice tort actions arising from federal remedies and proceedings and the interplay of state procedural remedies with seemingly inconsistent federal procedural rules in diversity cases.

2:15–3:45 p.m. Session 4A: The Supreme Court's 2011 Class Action Revolution—A One Year Retrospective

Sponsor: Federal Litigation Section

SPEAKERS: CHIEF JUDGE GERALD ROSEN; JUDGE ANTHONY J. BATTAGLIA; WILLIAM FRANK CARROLL; ELIZABETH CABRASER; GEORGINE VAIRO; ROB KOHN (MODERATOR)

One year ago, the Supreme Court concluded its October 2010 term by issuing a series of four important decisions affecting class action procedure. Review the impact and implications of those rulings, a year later, with a panel of distinguished judges, learned law professors, and experienced litigators.

Session 4B: Tribal Law and Order Act And its Effect on California

Sponsor: Indian Law Section

SPEAKERS: CHIEF JUDGE ANTHONY BRANDENBURG; ANGELA RILEY; TRACY TOULOU; MEREDITH DRENT; LAWRENCE BACA (MODERATOR)

Laws concerning jurisdiction on Indian Reservations are in flux. Against the backdrop of Public Law 280, enacted in 1953 to transfer certain federal jurisdiction in Indian Country to state governments, including California, this panel will discuss the recently enacted Tribal Law and Order Act and its potential effects on the 108 federally recognized Indian tribes in California from the perspectives of tribal governments, the federal government and tribal courts.

4:00–5:00 p.m. Session 5A: Immigrant Rights Under the Constitution

SPEAKERS: TOM SAENZ; PROF. JOHN EASTMAN; JENNIFER KOH (MODERATOR)

This debate-style CLE will present starkly different perspectives on how immigration issues are affected by the Constitution. Our panelists, Tom Saenz of MALDEF and Prof. John Eastman, with the help of moderator Prof. Jennifer Lee Koh, will discuss immigration enforcement after *Arizona v. United States*, racial profiling, immigrant workers, the Obama administration's implementation of "prosecutorial discretion," and other areas involving immigration where great minds do not think alike.

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Session 5B: Confirm or Ignore? Social Media Technologies Offer A Wealth Of Evidence For Litigators

Sponsors: Civil Rights Law and State and Local Government Relations Sections

SPEAKERS: JUDGE ANTHONY J. BATTAGLIA; RAY DOWD; JOE LEVENTHAL; DAVID GARRETT

Web 2.0 technologies like Facebook, Twitter, and LinkedIn represent a vast source of evidence for the attentive lawyer and innovative tools for the savvy litigator. This program will address how to collect and preserve digital evidence from social media. We will also explore the myriad of evidence authentication and ethical issues that can arise when dealing with social media.

Friday, Sept. 21

8:45–9:45 a.m. Session 6A: *Padilla v. Kentucky*: Vacating Criminal Convictions: A Practitioner's Guide

Sponsor: Immigration Law Section

SPEAKERS: JUDGE LARRY BURNS; H. RAYMOND FASANO; GEORGE A. TEREZAKIS

The Supreme Court's decision in *Padilla v. Kentucky* addressed defense counsel's obligation to inform the criminal defendant of the immigration consequences of a guilty plea. This panel will address strategies for dealing with the implications of this important decision on a day-to-day basis. The panel will address the retroactivity of the decision; how to prepare a post-conviction motion; what documents are the "must haves" in a motion; speaking with the prosecutor; the prosecutor's perspective and how to secure a decision that an immigration judge will recognize. The panel will also offer a view from the bench and give the judiciary's perspective on the application of *Padilla*.

Session 6B: Trends in Labor and Employment Law: A Panel Discussion

Sponsor: Labor and Employment Law Section

SPEAKERS: KEN ROSE; ANNA Y. PARK; OLIVIA GARCIA; NANCY BLOODGOOD; AMY WINTERSHEIMER FINDLEY (MODERATOR)

This session will review the hot button issues for 2012 and beyond, covering NLRB and EEOC agency action as well as recent decisions of note involving equal employment opportunity, retaliation, and wage and hour issues. The panelists, including the regional attorney for the EEOC Los Angeles District Office and the regional director for the NLRB, Region 21 Los Angeles, together with management and employee attorneys, will provide an overview for attorneys who do not regularly practice in this area, as well as the latest developments for labor and employment law practitioners in California and across the country.

10:00–11:00 a.m. Session 7A: The Expansion of Federal Criminal Jurisdiction

Sponsor: Criminal Law Section

SPEAKERS: JUDGE MARY M. SCHROEDER; MAG. JUDGE DOUGLAS THOMAS FERRARO JR. (MODERATOR); JUDY CLARKE; PROF. SARA SUN BEALE

The increased complexity and interconnectedness of our nation has been accompanied by an expansion of federal criminal jurisdiction. This eminent panel will discuss the cause and scope of increased federal jurisdiction, as well as its

effects on courts, lawyers, and the administration of justice. From the practical effects of such expansion on practitioners to its impact on our nation generally, this is a session of interest to all participants in the federal system.

Session 7B: Patent Litigation Under the AIA—Strategic Use of New USPTO Post-Grant Oppositions

SPEAKERS: RAJA SALIBA; MICHAEL ROSEN; JASON FERRONE; JOHN SCHERLING (MODERATOR)

On Sept. 16, 2012, some of the most radical changes in the last 60 years in U.S. patent law take effect. The post-grant proceedings before the USPTO under the 2011 America Invents Act will provide new, complex, and rapid procedures for challenging patents before an administrative forum that bypass the district courts and significantly alter the strategic landscape of patent litigation. Whether in-house or outside counsel, patentee or putative infringer, understanding the implications of these new post-grant proceedings is essential in today's litigation environment.

11:15 a.m.–12:15 p.m. Session 8A: The 10 Bankruptcy Cases From the Past Year That Will Affect Your Law Practice

Sponsor: Bankruptcy Law Section

SPEAKERS: JUDGE HARLIN D. HALE; JUDGE ALAN S. TRUST; JUDGE PETER W. BOWIE (MODERATOR)

Bankruptcy law is an ever evolving and growing area of practice. This program will discuss the 10 bankruptcy cases from the past year that most likely effect your law practice. The program will be presented by bankruptcy judges from across the country.

Session 8B: How Big Data Affects Discovery

SPEAKERS: MAGISTRATE JUDGE MITCHELL D. DEMBIN; CONSTANTINE PAPPAS; MERYL C. MANEKER; BROWNING MAREAN

Big Data is a complex and pressing challenge that legal professionals are facing today. Effective management of massive volumes of electronically stored information (ESI) is becoming increasingly important as the data grows in magnitude and scope. In this session, a panel of experts will break down the Big Data challenge and discuss ways to deal with it in an efficient and safe manner.

2:15–3:30 p.m. Session 9: Survive and Thrive: Perspectives for a Younger Lawyer

Sponsor: Younger Lawyers Division

SPEAKERS: JESSICA TOPLIN; JOE LEVENTHAL; DAVID GOODWIN; MATTHEW MOSCHELLA; KELLY SCALISE; DAWN STERN; ASHLEY BELLEAU; MATTHEW MORELAND; JAMES HAMMERSCHMIDT

New lawyers often confront ethical, substantive, professional, and practice development issues in their practice. This program will address those and other issues from the perspectives of panels of experienced and newer lawyers at varying levels of practice.

MEETINGS & SOCIAL EVENTS

Thursday, Sept. 20

12:30–2:00 p.m. Foundation of the FBA Fellows Luncheon
The Foundation of the FBA will induct its 2011 Fellows.

5:00–6:00 p.m. Federal Litigation Section Happy Hour

6:30–9:30 p.m. Reception at the U.S.S. Midway Museum

Imagine experiencing life at sea aboard one of America's longest-serving aircraft carriers. Visitors to the USS Midway Museum enter a floating city at sea and walk in the footsteps of 225,000 sailors who served our country and upheld the American ideals of strength, freedom, and peace. The USS



Midway Museum is an unforgettable adventure for the entire family, featuring more than 60 exhibits with a collection of 25 restored aircraft. A guided tour will be available to bring the carrier's history to life. Those who dare can "take to the sky" aboard one of three flight simulators.

Friday, Sept. 21

8:00–8:40 a.m. Ninth Circuit Swearing In Ceremony

Are you interested in becoming admitted to the U.S. Court of Appeals for the Ninth Circuit? If so, please join us on Sept. 21, 2012, at 8:00 a.m. for a special swearing-in ceremony to be officiated by senior circuit judge, former district court judge for the Southern District of California, and San Diego native Hon. John Clifford Wallace. Below are simple step-by-step instructions:

1. Attend the ceremony on Sept. 21.
2. Receive an application form at the conclusion of the ceremony.
3. Fill out and submit the form, along with a check for \$230.00 to the Ninth Circuit clerk by **no later than December 21, 2012**. This can also be done electronically via Appellate ECF (the court prefers this method).
4. Receive your certificate of admission within the next 6-8 weeks.

If you attend the ceremony, the requirement of a sponsor is waived.

12:30–2:00 p.m. Younger Federal Lawyer Awards Luncheon

Presentation of the Younger Federal Lawyer Awards, which are bestowed upon outstanding federal attorneys nominated by U.S. agency heads, general counsels, judge advocates general, administrative judges, and attorneys.

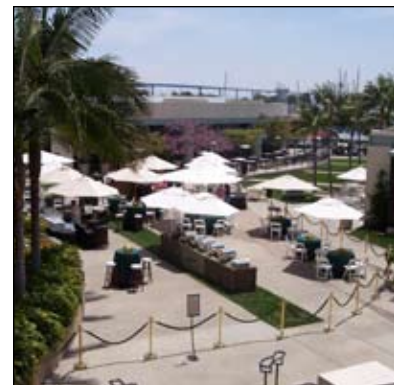
2:15–3:45 p.m. Vice Presidents for the Circuits Training

2:15–4:15 p.m. Federal Bar Building Corporation Board Meeting

4:30–6:00 p.m. Sections and Divisions Happy Hour

6:00–9:00 p.m. Open Air Fiesta by the San Diego Bay

Join us for an evening of food, fun, and friends at an open air fiesta by the San Diego Bay, which is a natural harbor and deepwater port 12 miles long and 3 miles across at its widest point. Considered to be one of the best natural harbors on the west coast of North America, it was colonized by Spain beginning in 1769. Later it served, and continues to serve to this day, as a home port of major assets, including several aircraft carriers of the U.S. Navy's Pacific Fleet, which is headquartered at Pearl Harbor.



Saturday, Sept. 22

8:30–9:45 a.m. Vice Presidents for the Circuits Meeting

8:30–11:00 a.m. Section and Division Chairs Meeting

9:30–11:30 a.m. Foundation of the FBA Board Meeting

10:00–11:30 a.m. Chapter Education Program Presented by the Vice Presidents of the Circuits

All chapter delegates are welcome to attend this session, where chapter leaders from around the country will exchange ideas for promoting chapter membership and enhancing chapter programming.

11:45 a.m.–1:45 p.m. FBA Awards Luncheon

This annual event recognizes the outstanding service and achievements of members, sections, divisions, and chapters. Special Recognition Awards, Section and Division Awards, Vice Presidents for the Circuits Awards, Chapter Activity Awards, and Newsletter Awards will be presented.

2:00–5:00 p.m. National Council Meeting

6:30–10:30 p.m. Reception and Presidential Installation Banquet

The banquet marks the formal installation of Robert J. DeSousa as the FBA national president for FY 2013.

The banquet will feature the presentation of the Ilene and Michael Shaw Public Service Grants, the President's Award, the Sarah T. Hughes Civil Rights Award, and the Earl W. Kintner Award.



SPEAKER BIOGRAPHIES

LAWRENCE BACA is a past president of the FBA and honorary co-chair of the FBA 2012 Annual Meeting and Convention. A Pawnee Indian, he was formerly a deputy director of the Office of Tribal Justice at the U.S. Department of Justice. He also was a senior trial attorney in the Civil Rights Division for 28 of his 32 years at DOJ. When he retired in 2008, he was presented the Attorney General's Medallion—the highest award the attorney general can present to a retiring employee. A 1976 graduate of Harvard Law School, Baca was one of the first American Indians to graduate from Harvard and he was the first American Indian ever hired through DOJ's Honor Law Program. In April 2008, the FBA Indian Law Section created the Lawrence R. Baca Lifetime Achievement Award for Excellence in Federal Indian Law to honor his career and contributions to the FBA.

HON. ANTHONY J. BATTAGLIA was confirmed as a U.S. district judge for the Southern District of California in March 2011. Prior to confirmation, he served as a U.S. magistrate judge in the Southern District starting in 1993. Judge Battaglia graduated from California Western School of Law in 1974. He practiced law from 1974–1993, specializing in plaintiffs' personal injury litigation. Among other leadership positions and committee participation, Judge Battaglia served as the chair of the Ninth Circuit Magistrate Judge Executive Board from 2006–2008; president of the Federal Magistrate Judge Association from 2008–2009; president of the San Diego County Judges Association from 1997–1998; president of the San Diego County Bar Association in 1992; and president of the San Diego Trial Lawyers Association in 1987. He is also the author of numerous articles and a frequent lecturer on federal practice.

SARA SUN BEALE is the Charles L. B. Lowndes professor at Duke University School of Law and a visiting professor at the Georgetown University Law Center. She has authored scores of articles and co-authored several influential treatises. Her work has been cited on many occasions by the Supreme Court and lower federal courts. Since her appointment by Chief Justice Rehnquist in 2004, Beale has served as reporter for the Advisory Committee on Criminal Rules, which drafts the Federal Rules of Criminal Procedure. She previously was an associate reporter for the Workload Subcommittee of the Federal Courts Study Committee, where much of her work focused on the Sentencing Guidelines, and reporter for a three branch federal-state working group convened by Attorney General Janet Reno to consider the principles that should govern the federalization of criminal law. Beale has argued before the Supreme Court on six occasions.

ASHLEY BELLEAU is the immediate past president of the FBA and a partner with Montgomery Barnett LLP in New Orleans. She is the firm's deputy loss prevention counsel and Marketing Committee chair. Belleau is listed as a Louisiana Super Lawyer for business litigation as well as in the 2011 Inaugural Edition of the Martindale-Hubbell® Bar Register of Preeminent Women Lawyers™. She is a fellow of the Foundation of the FBA; Young Lawyers Division of the American Bar Association; American Bar Foundation; Louisiana Bar Foundation; and a barrister of the Tulane Chapter of the American Inns of Court. Belleau earned her B.A., cum laude, from Newcomb College and her J.D. from Tulane University and was a law clerk for Hon. Henry A. Mentz Jr. in the U.S. District Court for the Eastern District of Louisiana. Belleau is a past president of the New Orleans Chapter of the FBA and a past chair of the vice presidents for the circuits.

NANCY BLOODGOOD is a partner with Foster Law Firm LLC in Charleston, S.C., and practices plaintiff's employment law. Prior to joining the firm in 2009, she was a partner with a large defense firm for 10 years. She was a deputy county attorney for Charleston County and as a staff attorney for the South Carolina Coastal Council. She attended the Catholic University of America Columbus School of Law, where she was associate editor of the *Law Review*, and Georgetown University. A certified mediator and arbitrator, Bloodgood is past president of the S.C. Chapter of the FBA, former FBA Fourth Circuit vice president, former chair of the FBA Labor and Employment Section, chair of the Employment Law

Section of the S.C. Association for Justice, program chair of the James L. Petigru Inn of Court, and chair of the Center for Heirs' Property Preservation. Bloodgood has been a S.C. Super Lawyer for employment and labor law since 2008.

HON. PETER WENTWORTH BOWIE is a U.S. bankruptcy judge, appointed March 2, 1988, and re-appointed March 2, 2002. He is currently chief judge of the U.S. Bankruptcy Court for the Southern District of California. Judge Bowie graduated from Wake Forest College in 1964, served four years in the U.S. Navy with two Vietnam tours, and then attended the University of San Diego School of Law. After graduating magna cum laude in 1971, he was a trial attorney in the Honors Program in the U.S. Department of Justice, followed by 14 years in the U.S. Attorney's Office for the Southern District of California—the last six of which he served as the chief assistant U.S. attorney. Judge Bowie is on the Executive Board and a Master of the Louis M. Welsh Inn of Court (No. 9); a founding board member of the Association of Business Trial Lawyers San Diego Chapter; and a member of Rotary Club #33.

HON. ANTHONY J. BRANDENBURG is the chief judge of the Intertribal Court of Southern California. Previously, Judge Brandenburg served more than 16 years in the San Diego County Superior Court. Judge Brandenburg received his A.A. in 1965 from Palomar College and became a successful local entrepreneur. He later furthered his education and received a B.S. in Education and an elementary teacher credential from Eastern State College, an M.A. in Instructional Media and Curriculum Development from the University of Connecticut, and a J.D. from Thomas Jefferson School of Law in San Diego. After working as an attorney in private practice, Judge Brandenburg was appointed to the California Municipal Court and later elevated to the Superior Court as a commissioner. Judge Brandenburg has also served honorably in the U.S. Marine Corps.

DONALD A. BROWN is scholar in residence for sustainability ethics and law at the Widener University School of Law—Harrisburg. He is also a contributing author to the Intergovernmental Panel on Climate Change 5th Assessment Report. Previously, he was an associate professor at Pennsylvania State University, where he was director of the Collaborative Program on the Ethical Dimensions of Climate Change. Brown previously was director of the Pennsylvania Environmental Research Consortium; an environmental lawyer for the states of Pennsylvania and New Jersey; and program manager at the U.S. Environmental Protection Agency's Office of International Environmental Policy. Brown has written extensively on climate change and sustainability issues and is the author of, among other works, *American Heat*, *Ethical Problems with the US Response to Global Warming*, and *Navigating the Perfect Moral Storm*, *Climate Ethics* (October 2012).

HON. LARRY A. BURNS has served as a U.S. district judge in San Diego since 2003. Before that, he was a U.S. magistrate judge for six years. As a trial lawyer from 1979–1997, Judge Burns tried over 150 cases to jury verdicts and argued more than 40 cases before the Ninth Circuit Court of Appeals. He is a fellow of the American College of Trial Lawyers and an associate of the American Board of Trial Advocates. Judge Burns was named Judge of the Year in 2002 by the Consumer Trial Lawyers of San Diego. He is co-author of the *Ninth Circuit Criminal Handbook*, a digest of federal criminal law and procedure. Judge Burns received his undergraduate degree from Point Loma College and his J.D. from the University of San Diego School of Law.

ELIZABETH J. CABRASER, a founding partner of Loeff, Cabraser, Heimann & Bernstein, LLP, has 34 years' experience, including leadership roles in the current Toyota and BP Oil Spill MDLs. She received her A.B. and J.D. from the University of California at Berkeley. She has written and lectured extensively on federal civil procedure, complex litigation, securities litigation, class action trials and settlements, mass tort litigation, and substantive tort law issues. Cabraser has served as visiting professor of law at Columbia University and as a lecturer at Berkeley Law teaching complex litigation, class actions, and mass torts. She is editor-in-

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chief of the treatise [California Class Action Practice and Procedure](#) (LexisNexis). In 2010, Cabraser was awarded the ABA Commission on Women in the Profession "Margaret Brent Women Lawyers of Achievement Award," and was appointed to serve on the Federal Rules Advisory Committee.

WILLIAM FRANK CARROLL is a member in both the trial and appellate sections in the Dallas office of Cox Smith Matthews Incorporated. He is board certified in both civil trial law and civil appellate law and is an adjunct professor at SMU School of Law, where he has taught federal courts, complex federal litigation (class actions), antitrust law, and trial advocacy. He is chair of the Federal Litigation Section of the FBA. He is co-author of DRI's [Class Action Compendium](#) (2011) and numerous other articles on class action litigation, antitrust law, trial advocacy, and federal practice.

ERWIN CHERMERINSKY is the founding dean and distinguished professor of law at the University of California Irvine School of Law, with a joint appointment in political science. Previously, he taught at Duke Law School for four years, during which he won the Duke University Scholar-Teacher of the Year Award in 2006. Before that he taught for 21 years at the University of Southern California School of Law and served for four years as director of the Center for Communications Law and Policy. His areas of expertise are constitutional law, federal practice, civil rights and civil liberties, and appellate litigation. He frequently argues cases before the nation's highest courts, and serves as a commentator on legal issues for national and local media. Chemerinsky holds a law degree from Harvard Law School and a bachelor's degree from Northwestern University.

GEOFF CHESHIRE, chair of the FBA's Criminal Law Section, is an assistant federal public defender for the District of Arizona detailed to the Office of Defender Services' Legal, Policy, and Training Division in Washington, D.C. He is also a member of the Ninth Circuit's Conference Executive Committee and has presented nationally on federal criminal justice topics.

JUDY CLARKE is in private practice in San Diego and also serves as one of the national Federal Death Penalty Resource Counsel. She has served as the executive director of Federal Defenders of Eastern Washington & Idaho and Federal Defenders of San Diego Inc., argued twice before the U.S. Supreme Court, and represented defendants in a number of high profile capital cases, including Susan Smith in Union, S.C., Theodore Kaczynski, charged as the "Unabomber," and Eric Robert Rudolph, charged with an abortion clinic bombing. She is currently counsel for Jared Loughner, charged in the January 2011 shootings in Tucson, Ariz. Clarke is a graduate of Furman University and the University of South Carolina School of Law. She is a past president of the National Association of Criminal Defense Lawyers and a fellow in the American College of Trial Lawyers.

JOHN C. CRUDEN is the president of the Environmental Law Institute. Previously he was, for 20 years, the career deputy assistant attorney general at the Environment and Natural Resources Division of the U.S. Department of Justice. Before joining DOJ, Cruden was the chief legislative counsel of the Army. He is a graduate of the U.S. Military Academy, University of Santa Clara, and University of Virginia. After graduating from West Point, he served in Airborne, Ranger, and Special Forces units before attending law school. After working for Justice Stanley Mosk of the California Supreme Court, Cruden attended the Army's Judge Advocate General's Graduate Course, where he was named outstanding graduate. His subsequent military assignments include the Pentagon and Europe as well as general counsel of the Defense Nuclear Agency. Cruden has received the Presidential Rank Award from three different Presidents.

HON. MITCH DEMBIN was sworn in as a U.S. magistrate judge in the Southern District of California on March 18, 2011. Prior to his appointment, he was an assistant U.S. attorney in San Diego; before that, he was the chief security advisor for Microsoft Corporation. Prior to joining Microsoft, Judge Dembin was the president of EvidentData Inc., a firm specializing in computer forensics, digital evidence, and computer security. He served three different terms

as an AUSA over 15 years in San Diego and in Boston, including six years as a supervisor. Judge Dembin is credited with having founded the San Diego Regional Computer Forensics Laboratory, a national prototype, which provides assistance to the federal, state, and local law enforcement agencies. The son of a New York City police officer, Judge Dembin attended Brooklyn College of the City University of New York and Western New England Law School, where he was managing editor of the [Law Review](#).

RAYMOND J. DOWD is a partner with Dunnington Bartholow & Miller LLP in New York City. He authored the [Copyright Litigation Handbook](#) (West 2011 ed). He started Copyright Litigation Blog in 2006. His Twitter feed @raydowd follows developments in copyright and art law. He serves as an FBA vice president for the Second Circuit and was elected chair of the FBA's circuit vice presidents in September 2011. He served as general counsel to the FBA from 2010–2011 and has served on the editorial board of [The Federal Lawyer](#). He is a fellow of the Foundation of the FBA.

HON. MEREDITH D. DRENT (Osage/Chamorro), is chief justice of the Osage Nation Supreme Court after serving nearly six years as an associate justice. She is a graduate of the Arizona State University Sandra Day O'Connor College of Law and an alumna of its nationally recognized Indian Legal Program. She has experience with several California-based private law firms specializing exclusively in Indian law, and recently served as the managing attorney of government affairs with the San Manuel Band of Mission Indians in Highland, Calif., where she was responsible for all matters related to tribal governance including public safety, cultural resources, environmental issues, tribal court development, health and welfare, education, employment matters, policies and procedures, legislation, and intergovernmental relations.

In April 2011, attorney **KATRINA J. EAGLE** launched her solo practice, where she focuses exclusively in veterans law, advocating for claimants at all 57 VA Regional Offices and the Board of Veterans' Appeals. She also practices at the U. S. Court of Appeals for Veterans Claims and the U.S. Court of Appeals for the Federal Circuit when warranted. Previously, Eagle managed the Veterans Law Office of Eagle & Wildhaber LLP from 2008–2011; she began assisting military veterans as a legislative analyst for the Veterans of Foreign Wars in 1995. In 1998, while still attending George Mason School of Law, she was recruited as deputy director for the Veterans Benefits Program of Vietnam Veterans of America. In January 1999, she joined Health Policy Analysts in Washington, D.C., where she focused on veterans' health issues. In 2009, she was elected president of the National Organization of Veterans' Advocates Inc.

DR. JOHN EASTMAN is the Henry Salvatori professor of law & community service at Chapman University School of Law. He served as dean from 2007–2010. He is also the founding director of the Center for Constitutional Jurisprudence. He has a Ph.D. in government from the Claremont Graduate School and a J.D. from the University of Chicago Law School, and is chairman of the Federalist Society's Federalism & Separation of Powers practice group. Prior to joining the Chapman law faculty, Dr. Eastman served as a law clerk to Supreme Court Justice Clarence Thomas and Fourth Circuit Judge J. Michael Luttig, and practiced law with Kirkland & Ellis. On behalf of the Center for Constitutional Jurisprudence, he has participated as amicus curiae before the Supreme Court of the United States in more than 50 cases of constitutional significance.

H. RAYMOND FASANO is a member of Youman, Madeo & Fasano LLP based in New York City, where his practice is dedicated to immigration litigation on the agency and federal level throughout the nation. Fasano serves as secretary of the FBA's Immigration Law Section and is a board member of that section. He is counsel of record in several published opinions in circuit courts across the country, and is the author of several published articles in the area of immigration litigation.

HON. D. THOMAS FERRARO is a U.S. magistrate judge for the District of Arizona, Tucson Division. Prior to being appointed in 2008, he worked for the U.S. Department of Justice from 1985, being assigned to various U.S. Attorney's Offices, including: Southern District of



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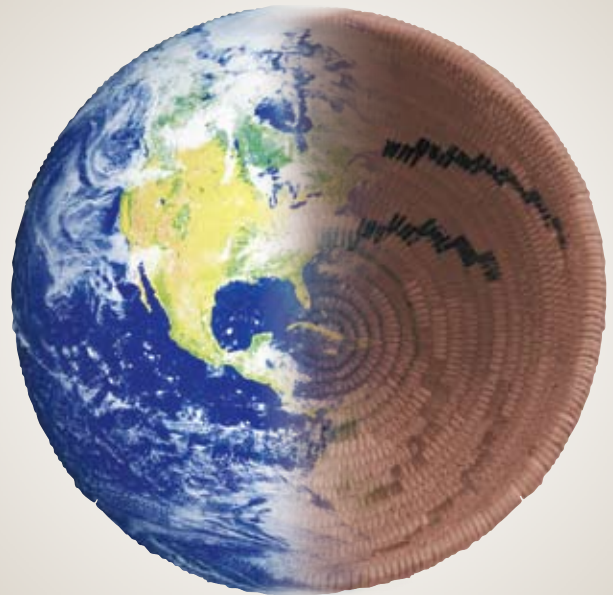
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California, Eastern District of Texas, Western District of Arkansas, and the District of Arizona. He was also assigned temporary duty as an associate independent counsel with Office of the Independent Counsel *In Re: Madison Guaranty Savings & Loan Association* and an assistant U. S. attorney assigned to *State of Oklahoma v. Terry L. Nichols*. Previously, he was in private practice in San Diego for one year and served in the Clark County District Attorney's Office in Las Vegas, Nev., from 1980–1984. Judge Ferraro is a graduate of Northern Arizona University and California Western School of Law.

JASON D. FERRONE is the vice president for patents and corporate development at Isis Pharmaceuticals, where he has been the company's lead patent counsel since 2007, responsible for setting patent strategy for portfolio formation as well as enforcement. He also has been extensively involved with policy issues related to patents on behalf of the company, interacting with the USPTO, other members of the administration, Congress, and various industry organizations. Ferrone is active with the Biotechnology Industry Organization's (BIO) Intellectual Property Counsel's Committee, co-chairing a subcommittee responsible for interfacing with the USPTO on policy issues impacting BIO member companies and participating as a member of the subcommittee responsible for formulating amicus briefs on behalf of BIO. In addition to his responsibilities related to intellectual property, Ferrone manages a small research effort related to the application of Isis's antisense technology.

AMY WINTERSHEIMER FINDLEY is an employment litigation partner and seasoned trial lawyer located in the San Diego office of Allen Matkins. She handles all manner of employment disputes, including all forms of wage and hour class actions, wrongful termination, harassment, and discrimination lawsuits. Findley has extensive experience in general employment counseling, in conducting employee investigations, and in dealing with issues involving employee raiding and solicitation, as well as noncompetition issues. She also frequently handles matters involving the Americans with Disabilities Act and Title 24 Access. Before joining Allen Matkins, she was a partner at Gray Cary Ware & Freidenrich from 1998–2004. Findley was also an adjunct professor at San Diego State University.

OLIVIA GARCIA is the regional director for NLRB Region 21 in Los Angeles, where she began serving in February 2012. Previously, she served for six years as regional attorney at the NLRB's San Francisco Regional Office and two years as deputy regional attorney and supervisory attorney. In addition, she was the resident officer at the NLRB's Resident Office in San Antonio from 2000–2003. She also worked as a field attorney for 16 years with the NLRB in Region 31 (Los Angeles), Region 16 (Fort Worth), Region 32 (Oakland), Region 22 (Newark, N.J.), and the Houston Resident Office. A native of Mexico, Garcia received her J.D. from Brigham Young University's J. Reuben Clark Law School.

DAVID E. GARRETT is managing director of Stroz Friedberg, an international consulting firm that specializes in digital forensics, cybercrime response, electronic discovery, and investigations. He works closely with major corporations and law firms involved in civil, criminal, regulatory, and internal corporate matters which often relate to unauthorized access to and theft of confidential, proprietary, or trade secret information. Prior to joining the firm, Garrett served as senior corporate counsel for Oracle Corporation and, before that, he was a senior associate at Cooley LLP. He speaks regularly at educational events and legal conferences on various digital forensics, data privacy, and electronic discovery topics.

KENNETH GELBURD is past chair and current board member of the FBA Section on Environment, Energy, and Natural Resources. He has been a public sector environmental lawyer in southeastern Pennsylvania for more than 30 years and has practiced successfully in administrative tribunals, state trial and appellate courts, U.S. district and bankruptcy courts, the U.S. Court of Appeals for the Third Circuit, and the U.S. Supreme Court. He has presented at CLE courses at the local, state, and national levels on topics as diverse as radiation source regulation and environmental concerns in bankruptcy. Gelburd earned a B.A. from Syracuse University, an M.A. from the University of North Carolina at Chapel Hill, and a J.D. from the University of Pennsylvania Law School, where he received the Rutledge Award for

Studies in Individual Rights and Law Enforcement.

IRMA E. GONZALEZ was appointed to the U.S. District Court for the Southern District of California on Aug. 12, 1992. She served as chief judge of the district court from January 2005–January 2012. Before her appointment, Judge Gonzalez was a judge of the Superior Court of San Diego County from 1991–1992 and a U.S. magistrate judge for the Southern District of California from 1984–1990. She was previously an assistant U.S. attorney and an associate attorney with the then law firm of Seltzer, Caplan, Wilkins & McMahon in San Diego. Judge Gonzalez received a B.A. from Stanford University and a J.D. from the University of Arizona School of Law and was a law clerk to U.S. District Judge William C. Frey in Tucson, Ariz. A master in the Enright Inn of Court and a founding member of Latinas in the Law; she is very active in the legal community and has served on several advisory boards and many committees of the Judicial Conference.

DAVID GOODWIN currently serves as secretary on the Board of Directors for the FBAs Younger Lawyer Division. He assists the FBA YLD with the Membership Committee and is the chair of the FBA Younger Federal Lawyers Award Committee. Goodwin is an associate attorney specializing in antitrust and complex class action litigation at Gustafson Gluek PLLC located in Minneapolis, Minn., where he also is a member of the Minnesota Chapter of the FBA. Before joining Gustafson Gluek, Goodwin attended the University of Wisconsin-Madison and received his law degree from DePaul University College of Law.

HON. H. DEWAYNE "COOTER" HALE was appointed as a U.S. bankruptcy judge for the Northern District of Texas on Nov. 1, 2002. He graduated from Louisiana State University and Paul M. Hebert School of Law, Louisiana State University, where he was Order of the Coif. After law school, he was a law clerk to Associate Justice James L. Dennis of the Louisiana Supreme Court, now a judge on the U.S. Court of Appeals for the Fifth Circuit. From 1983–2002, Judge Hale was in private practice in Dallas at Strasburger & Price LLP; McGuire, Craddock, Strother & Hale P.C.; and Baker & McKenzie LLP. Judge Hale is a regular author in legal publications on bankruptcy issues and a frequent lecturer at law school and state bar seminars on bankruptcy and litigation topics. From 2009–present, he has been a visiting professor at Southern Methodist University.

JAMES R. HAMMERSCHMIDT is a principal of Paley Rothman and a member of its Litigation, Appellate, and Employment practice groups. An active participant in the local legal community, Hammerschmidt currently serves as chair of the FBA Maryland Chapter, on the Board of the FBA Labor and Employment Section, and on committees for the Maryland State Bar Association. He has written articles on employment law topics for major publications and is a contributing editor to the American Bar Association's *Employment Discrimination Law* (3d Ed.) and *Annual Developments in Business and Corporate Litigation*. Hammerschmidt graduated from Washington University in St. Louis and Saint Louis University School of Law, where he served as executive editor of the *Public Law Review*. Prior to joining Paley Rothman, he was assistant general counsel of the Manville Personal Injury Settlement Trust.

HON. MICHAEL DALY HAWKINS was appointed as a circuit judge for the U.S. Court of Appeals of the Ninth Circuit on Sept. 16, 1994. A graduate of Arizona State University and its law school, he also earned an LL.M. from the University of Virginia. Following active duty in the U.S. Marine Corps, including sitting as a special courts martial military judge, Judge Hawkins returned to Phoenix and engaged in private practice, specializing in complex civil litigation and white collar criminal defense. He frequently served as a judge pro tem on the Arizona Court of Appeals and was twice chosen to serve as independent prosecutor–special counsel for the Navajo Nation. In 1977, President Carter nominated Judge Hawkins to serve as U.S. attorney for the District of Arizona—at 31, the youngest U.S. attorney in Arizona history. A prolific legal writer, Judge Hawkins also serves as a judicial advisor on West's *Federal Jury Practice and Instructions* (Fifth Edition).

JENNIFER LEE KOH is an assistant professor of law at Western State College of Law in Fuller-

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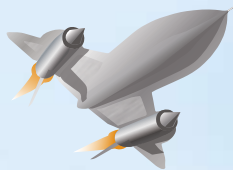
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ton, Calif., and is the founder and director of the Immigration Clinic. Prior to joining Western State, she was a clinical lecturer and Cooley Godward Kronish fellow at Stanford Law School and supervised students in the Stanford Immigrants' Rights Clinic. Koh was also a law clerk to the late Hon. Eugene Nickerson of the Eastern District of New York; the director of a community lawyering project at Sanctuary for Families' Center for Battered Women's Legal Services in New York City; and a litigation associate at Wilmer Cutler Pickering Hale and Dorr. Koh's scholarship has been or will be published in four major U.S. law reviews; it explores the intersection of the criminal and immigration laws, the due process rights of immigrants, and pedagogical questions related to clinical law teaching. She is a graduate of Columbia Law School and Yale University.

ROBERT E. KOHN litigates entertainment, business, and intellectual property disputes in the Los Angeles area. He also argues appeals in federal and state courts at all levels. A former clerk to Hon. Joel F. Dubina of the Eleventh Circuit, Kohn attended Duke Law School. He is the vice chair of the Federal Litigation Section and co-chairs the committee on Federal Rules of Procedure and Trial Practice. Kohn also serves The Federal Lawyer magazine as a member of its Editorial Board. He can be reached at rkohn@kohnlawgroup.com.

JOE LEVENTHAL is an associate in Cooley LLP's Litigation department since 2004, where his practice focuses on complex commercial litigation with a particular emphasis on advertising and consumer communications, as well as being committed to pro bono matters. In 2008, he was named one of San Diego Daily Transcript's Young Attorneys, a ranking of San Diego county's best young lawyers. Prior to joining Cooley, Leventhal served as an attorney in the White House, where he acted as deputy assistant to the vice president, functioning as the final substantive control point before information reached the vice president. Leventhal began his legal career at Kirkland & Ellis LLP. He received his J.D. from the Georgetown University Law Center, where he was an editor of the Georgetown Immigration Law Journal. He remains active with Georgetown as an advisor to the Immigration Law Journal. He graduated from the University of California, San Diego with a degree in political science.

RONALD E. MALLEN is nationally recognized for his practice in lawyer professional liability, risk management, and insurance coverage. Having counseled attorneys for more than 40 years, he is certified by the California Board of Legal Specialization as a legal specialist in legal malpractice law, has been listed in The Best Lawyers in America since its inception, and holds the AV® Peer Review Rating from Martindale-Hubbell. He was a member of the consultative group on the Restatement (Third) of The Law of Lawyering. Mallen joined Hinshaw & Culbertson LLP in January 1998, where he is the leader the Lawyers for Professionals Department and chair of the firm's annual Legal Malpractice & Risk Management Conference. Since 1977, Mallen has been the co-author of the five-volume work Legal Malpractice and of The Law Office Guide to Purchasing Legal Malpractice Insurance, which are updated and published annually by Thomson-West Group.

MERYL C. MANEKER is a partner with Wilson Turner Kosmo LLP, where her practice focuses on the defense of class actions. She is the author of the chapter "Litigating Wage and Hour Cases: Defendants' Perspective" in California Wage and Hour Law and Litigation (Continuing Education of the Bar, 2010) and co-author of "Emerging Issues In Cosmetics and Other Beauty Product Litigation," in Product Liability Litigation: Current Law, Strategies and Best Practices (Practising Law Institute 2009). She has served as a lawyer representative to the U.S. District Court for the Southern District of California and co-chair of the Lawyer Representative Committee. She was also a member of the Board of Directors and vice president of the Lawyers Club of San Diego. Maneker is the recipient of the YWCA's 2008 Tribute to Women in Industry (TWIN) Award. She received her J.D. from New York University School of Law and an A.B. from Brown University (1983).

BROWNING E. MAREAN is senior counsel in DLA Piper's San Diego office and is one of the worldwide leaders of the firm's e-discovery task force. He is co-chair of the firm's Electronic Discovery Readiness and Response Group and is a member of the firm's Litigation Group.

He is a frequent and an internationally known teacher and lecturer on various topics including electronic discovery, computer technology and legal ethics. Marean is co-author of the 2010 edition of Electronic Discovery and Records Management Guide, Rules, Checklists and Forms, published by Thomson West, and Conducting Discovery in an Electronic World: Electronic Data and Discovery, published by California Civil Discovery Practice. He has been named a San Diego Super Lawyer. Marean received his law degree from the University of California, Hastings College of Law and his undergraduate degree from Stanford University.

MATTHEW MORELAND began his involvement with the FBA through the National YLD's Moot Court Program, which he chaired until 2005. He was also asked to serve as a representative of the chapter's Younger Lawyers on the New Orleans Chapter's Board of Directors and was elected chapter president for the 2006–2007 term. He currently has an active relationship with the chapter and was co-chair of the Host Committee for the 2010 FBA Annual Convention. Contemporaneously with his chapter work, he rose to the position of national YLD chair and sat as an ex-officio member of the last Executive Committee in 2005–2006 before being elected to a three-year term to the FBA Board of Directors. He was appointed as general counsel for the association, and was elected to the Board of Directors again in 2010. Moreland's practice at the Beonel Law Firm in New Orleans involves primarily mass torts and plaintiff's general litigation issues.

MATTHEW C. MOSCHELLA is a partner at Sherin and Lodgen LLP in Boston, Mass., where he represents clients in all types of civil litigation. A graduate of Boston College, Boston College Graduate School of Social Work, and Northeastern University School of Law, he was a law clerk to Hon. Judith Gail Dein of the District of Massachusetts. During law school, he interned with a district judge at the District of Massachusetts, the civil division of the U.S. Attorney's Office for the District of Massachusetts, two Boston civil litigation firms, and the Massachusetts Department of Social Services' legal department. Moschella has been active in the FBA since 2004; he is currently the chair of the Younger Lawyers Division and is the co-chair of the FBA's Supreme Court Admissions Program. Moschella is also active in the Massachusetts Chapter, having been a member of its Executive Council and an officer for several years. He is currently the chapter's president elect.

HON. BARRY TED MOSKOWITZ was nominated by William J. Clinton on June 30, 1995, to a new seat on the U.S. District Court for the Southern District of California. He was confirmed by the Senate on Dec. 22, 1995, and received commission on Dec. 26, 1995. Judge Moskowitz has served as chief judge from 2012-present. He was a U.S. magistrate judge on the U.S. District Court for the Southern District of California from 1986-1995. A graduate of Rutgers College and Rutgers University School of Law, Judge Moskowitz was a law clerk on the U.S. Court of Appeals for the Third Circuit; assistant U.S. attorney for the District of New Jersey; was in private practice in Wayne, N.J.; and was an assistant U.S. attorney for the Southern District of California.

CONSTANTINE PAPPAS is a licensed attorney barred in Wisconsin, Virginia, and Washington, D.C. He has over 15 years of legal experience and has served as in-house counsel in both the medical equipment and airline industries. In addition, he has managed both paper and electronic discovery efforts for a number of large-scale civil lawsuits and government investigations. Constantine is currently a member of kCura's advice@kCura team, where he provides workflow consultation to clients wishing to enhance their experience with Relativity. His special emphasis lies in the area of text analytics, particularly kCura's computer-assisted review offering, Relativity Assisted Review.

ANNA Y. PARK is the regional attorney for the Los Angeles District Office of the Equal Employment Opportunity Commission (EEOC), where she oversees and directs all litigation on behalf of the EEOC in Southern California, Central California, Nevada, and the Pacific. Since joining the EEOC, Park has aggressively litigated cases against private and public employers, receiving large monetary awards and aggressive injunctive relief remedies. Her body of work has been recognized within and outside of the commission. She was selected

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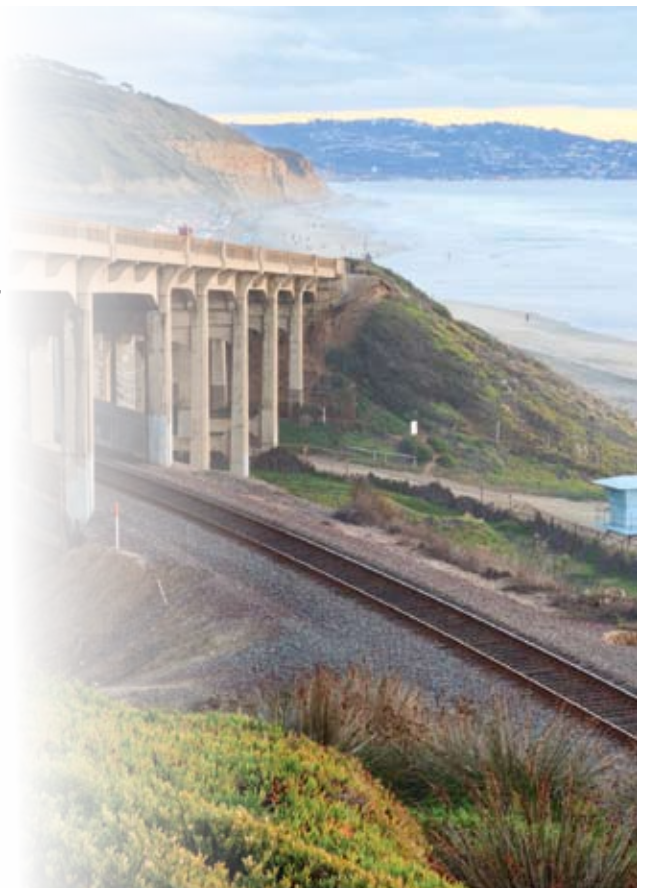
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as one of the “Top 20 under 40” by the [Daily Journal](#) in California. She is also known for her training and speaking abilities and has trained numerous corporations, governmental, and non-governmental organizations nationally. Park received her J.D. from the UCLA School of Law and a B.A. from UCLA. Prior to joining the EEOC, she was a civil rights litigator with a prominent civil rights law firm in Los Angeles.

ANGELA RILEY is a professor of law at the UCLA School of Law and director of the UCLA American Indian Studies Center. She is also the director of UCLA’s JD/MA joint degree program in Law and American Indian Studies. A graduate of the University of Oklahoma and Harvard Law School, she clerked for Chief Judge T. Kern of the Northern District of Oklahoma and later worked as a litigator at Quinn Emanuel in Los Angeles. In 2003, she became the first woman and youngest justice of the Supreme Court of the Citizen Potawatomi Nation of Oklahoma. In 2010, she was elected as chief justice. She was recently appointed to serve on the United Nations–Indigenous Peoples’ Partnership Policy Board, which is a commitment to the UN Declaration on the Rights of Indigenous Peoples. She is also an evidentiary hearing officer for the Morongo Band of Mission Indians.

KEN ROSE is the founder and president of The Rose Group, a global employment law and HR consulting firm based in San Diego and Washington, D.C. A graduate of Cornell University and George Washington University Law School, he has practiced employment and labor law for more than 35 years. He is one of the few U.S. lawyers with extensive experience assisting multinationals with employment law issues concerning operations in foreign countries. Rose is the author of [Lawful Hiring: A Primer for California Employers](#), published by R&J Legal Publishers, and co-author of the chapter “U.S. Employment and Labor Law” in the [International Handbook on Contracts and Employment](#), published by the International Bar Association and Kluwer Law International. In addition, Rose has authored numerous published articles on employment law issues of importance to domestic, foreign, and multinational companies.

JUDGE GERALD E. ROSEN was invested to the U. S. District Court for the Eastern District of Michigan in March 1990 and became chief judge on Jan. 1, 2009. Prior to taking the bench, he was a senior partner in Miller, Canfield, Paddock and Stone, where he was a trial lawyer specializing in commercial, employment, and constitutional litigation. Judge Rosen was a legislative assistant to Sen. Robert P. Griffin of Michigan for five years while attending the George Washington University Law School at night. Judge Rosen has written and published articles for professional journals and the popular press and is also co-author of several publications. For five years prior to taking the bench, Judge Rosen co-chaired the Judicial Evaluation Committee for the U.S. District Court for the Eastern District of Michigan. For 20 years, he has been an adjunct professor of law at several law schools and has lectured at numerous international conferences.

MICHAEL M. ROSEN is a principal in the Southern California office of Fish & Richardson P.C. His practice emphasizes intellectual property litigation in technologies including medical devices, computer software, and consumer electronics. Rosen previously clerked for Hon. Marilyn Huff of the U.S. District Court for the Southern District of California and currently serves as an adjunct professor of law at the University of San Diego School of Law. He writes frequently on legal topics for the [Los Angeles Daily Journal](#) and the [San Diego Daily Transcript](#), and his work has been published on IP Law 360, in [Industrial Biotechnology](#) journal, and in the [Golden Gate University Law Review](#). Rosen has been named one of the Top 30 Young Attorneys in San Diego by the [Daily Transcript](#) and one of the 40 Under 40 by [San Diego Metropolitan Magazine](#). He received his law degree from Harvard Law School and his undergraduate degree from Harvard College.

THOMAS A. SAENZ returned to MALDEF in 2009 as president and general counsel. Previously, as counsel to Los Angeles Mayor Antonio Villaraigosa, Saenz served on the four-person executive team to the mayor. During his four-year tenure with the City of Los Angeles, Saenz helped to lead the legislative effort to change the governance of Los Angeles Unified School District (LAUSD) and served as the lead liaison on labor negotiations. Saenz had previously practiced civil rights litigation at MALDEF for 12 years. Saenz graduated from Yale University

and received his law degree from Yale Law School. He served as a law clerk to Hon. Harry L. Hupp of the U.S. District Court for the Central District of California and to Hon. Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. For eight years, Saenz was an adjunct lecturer at the University of Southern California (USC) Law School.

RAJA SALIBA is a partner at Sughrue Mion PLLC, specializing in intellectual property law with over 15 years experience in counseling and representing clients in litigation in federal district courts, the International Trade Commission, the U.S. Patent Office, and in appeals in the Federal Circuit and regional circuits. He has represented corporate clients from all over the world in a broad variety of the electrical and mechanical arts, including fiber optics, medical devices, semiconductors, heating and cooling systems, automotive equipment, power generation equipment, container manufacturing, agricultural machinery, and business methods. Saliba regularly engages in patent infringement and validity opinion practice and counseling, freedom-to-operate, due diligence and product clearance work, licensing and contract matters including joint ventures and co-development situations, patent application preparation and prosecution, and counseling clients in devising global intellectual property strategies.

KELLY SCALISE is a shareholder at Liskow & Lewis in New Orleans and practices in admiralty insurance, tort defense, and products liability defense. Her professional experience includes admiralty matters connected with personal injuries and offshore drilling, and her litigation background includes trials, arbitrations, motion practice, discovery, extensive electronic productions, and mediations. She has represented clients in admiralty and land-based tort actions, in vessel collisions and other admiralty matters, in products liability defense matters, and in premises liability actions. A graduate of LSU and LSU Law Center, Scalise was a law clerk to Hon. James L. Dennis of the U.S. Court of Appeals for the Fifth Circuit. She is chair-elect of the FBA Younger Lawyers Division, co-chair of the Thurgood Marshall Memorial Moot Court Competition Committee, and secretary of the New Orleans Chapter of the FBA.

JOHN SCHERLING is a partner in the San Diego office of Sughrue Mion PLLC, focusing on litigation and resolution of intellectual property disputes. He previously served as an assistant U.S. attorney in the Criminal and Civil Divisions of the U.S. Attorney’s Office in the Southern District of California and as a law clerk to Hon. Judith N. Keep of the U.S. District Court for the Southern District of California. Scherling was the co-chair of the Attorney Representative Committee for the U.S. District Court in the Southern District of California and a member of the Ninth Circuit Judicial Conference Lawyer Representative Coordinating Committee from 2008–2010. He has been recognized as a [San Diego Daily Transcript](#) Top Attorney (2011) and San Diego Super Lawyer (2012) in Intellectual Property Litigation, and has spoken and written extensively on intellectual property law and litigation issues.

JUDGE MARY M. SCHROEDER was chief judge of the U.S. Court of Appeals for the Ninth Circuit from December 2000–November 2007; she has served on that court since 1979. She previously served on the Arizona Court of Appeals and practiced law in Phoenix. She is a graduate of Swarthmore College and the University of Chicago Law School. After graduation, she was a trial lawyer in the Civil Division of the U.S. Department of Justice. Judge Schroeder has also lectured at Arizona State University Law School and Duke University Law School. She has published articles and lectures in various law reviews and is a member of the Council of the American Law Institute. She is a recipient of the Arizona State Bar Association’s James A. Walsh Outstanding Jurist Award, the American Bar Association’s Margaret Brent Award, and the Joan Dempsey Klein NAWJ Honoree of the Year. In 2006, Swarthmore College awarded her an Honorary Doctor of Law degree.

WILLIAM “BILL” SHEPPARD has established a reputation as a preeminent criminal defense, civil rights, and appellate attorney during his more than 40 years practicing law. After serving as a first lieutenant in the U.S. Army in Korea, Sheppard graduated from the University of Florida College of Law, where he served as executive editor of the [Florida Law Review](#). Sheppard began his legal career in real estate and banking before founding his own firm, which he dedicated to criminal defense and civil rights advocacy. He has argued before

the U.S. Supreme Court on three different occasions, including in Doggett v. United States. Sheppard has been recognized as "AV" Martindale-Hubbell rated and listed in Best Lawyers in America and Florida Super Lawyers. Further, he is a Master of the Bench Emeritus in the Chester Bedell Inn of Court and a Fellow in the American College of Trial Lawyers.

DAWN STERN currently serves as vice chair on the National Board of Directors for the FBA Younger Lawyer Division. She assists the FBA YLD as co-chair of the Summer Law Clerk Program and as a member of the Moot Court Committee. Stern is an associate at DLA Piper in the Government Contracts Group in Washington, D.C. Prior to joining DLA Piper, she served as a trial attorney in the U.S. Department of Justice Commercial Litigation Branch, National Courts Section, specializing in litigating cases before the U.S. Court of Federal Claims and U.S. Court of Appeals for the Federal Circuit. She graduated from the University of Florida and The George Washington University Law School. After law school, Stern clerked for Hon. James I. Cohn of the U.S. District Court for the Southern District of Florida.

CATHERINE E. STETSON is the co-director of Hogan Lovells' appellate practice group, which in 2010 and 2011 secured a coveted spot on the National Law Journal's annual Appellate Hot List. With dozens of appellate arguments to her name, she has been recognized by The American Lawyer magazine as one of the top 45 women under 45 among AmLaw 200 firms and as one of the "Fab Fifty" litigators under 45 in the nation, and by the National Law Journal and Washingtonian magazine as one of Washington's "Top 40 Lawyers Under 40." Stetson has argued in the U.S. Supreme Court, in most of the federal courts of appeals, and in multiple state appellate courts. Before joining Hogan Lovells, Stetson served as a judicial clerk to Hon. Stanley S. Harris of the U.S. District Court for the District of Columbia and Hon. David S. Tatel of the U.S. Court of Appeals for the D.C. Circuit.

GEORGE A. TEREZAKIS' practice is based in Mineola, N.Y., and is concentrated in the areas of criminal and removal defense as well as post conviction relief. He was the lead attorney in Dikson v. Ashcroft. He is the former president of the Nassau County Criminal Courts Bar Association and a former member of the Board of Directors of the N.Y.S. Association of Criminal Defense Lawyers. He frequently lectures on the immigration consequences of criminal convictions. He has been recognized by the Central American Refugee Center and the Long Island Hispanic Chamber of Commerce for his work on behalf of Long Island's immigrant community. He is fluent in Spanish.

JESSICA TOPLIN currently serves as a member-at-large on the Board of Directors for the FBA Younger Lawyers Division. She assists the FBA YLD with the Summer Law Clerk Program and Supreme Court Admission Ceremony and serves on the Membership Committee. Toplin is a trial attorney specializing in government contracts at the Commercial Litigation Branch of the U.S. Department of Justice in Washington, D.C., where she is also a board member of the District of Columbia Chapter of the FBA. Before joining the Department of Justice, she graduated from the George Washington University and George Washington University Law School.

TRACY TOULOU is the director of the Office of Tribal Justice (OTJ) at the Department of Justice. OTJ is the primary point of contact for DOJ's government to government relationship with Indian tribes. Prior to his current position, Toulou served as an assistant U.S. attorney for the District of Montana; he began his career with the department as an attorney in the Criminal Division. Toulou attended law school at the University of New Mexico, during which time he had the opportunity to clerk for DNA Legal Services on the Navajo Nation and for the Laguna Pueblo Tribal Court. Before attending law school, he worked for the U.S. Agency for International Development and the U.S. Peace Corps in Africa, Central America, and the Caribbean. He is a descendant of the Colville Confederated Tribes located in Washington state.

HON. ALAN S. TRUST took the bench on April 2, 2008, and sits on the U.S. Bankruptcy Court for the Eastern District of New York. He is an adjunct professor at St. John's University School of Law. Judge Trust is chair of the FBA Bankruptcy Law Section and a board

member of the FBA Eastern District of New York Chapter. He is a member of the Editorial Board of the American Bankruptcy Institute Journal as well as a contributing editor; he has been a frequent speaker and author for numerous CLE events and is a trained mediator. He has been instrumental in the creation of a Pro Bono Mediation Pilot Program adopted by the Bankruptcy Court for Eastern District of New York. Judge Trust is a graduate of Syracuse University and New York University School of Law, where he served on the Law Review. After graduation, he relocated to Dallas, where he opened his own law firm (Trust Law Firm P.C.) and managed that firm until appointed to the bench.

GEORGENE M. VAIRO joined the Loyola Law School faculty in 1995. She has written the chapters on removal jurisdiction, venue, and multidistrict litigation in Moore's Federal Practice and serves on its editorial board. Vairo served on the Board of Trustees of the Dalkon Shield Claimants Trust and as its chair. She also is a member of the Rand Corporation's Institute for Civil Justice Board of Overseers and is a member of the American Law Institute. Vairo received her B.A. from Sweet Briar College, an M.Ed. from the University of Virginia, and graduated first in her class from Fordham University School of Law. She was a law clerk to Hon. Joseph M. McLaughlin of the U.S. District Court for the Eastern District of New York, practiced with Skadden Arps Slate Meagher & Flom, and taught at Fordham University School of Law, where she also was associate dean.

JOY VILLAVICENCIO is a licensed clinical social worker and the Veterans Treatment Review Calendar (VTRC) liaison in San Diego, where she clinically assesses and coordinates a treatment plan and provides case management service for veterans who are potential participants in the VTRC. Villavicencio has been involved in the mental health field for more than 15 years. She worked as a case manager, then the social work supervisor, and eventually the program director for a treatment level foster family agency in San Diego County for five years. She then took a position as a social worker on an acute adult inpatient psychiatric unit in a local psychiatric hospital in San Diego. Prior to her employment at the Veterans Administration, Villavicencio was a mental health conservatorship clinician for the County of San Diego. Throughout her career, she has been committed to the pursuit of ensuring that individuals are knowledgeable about the resources and the care that is available to them.

HON. J. CLIFFORD WALLACE was sworn in as a U.S. district judge for the Southern District of California on Oct. 29, 1970, and was elevated to the U.S. Court of Appeals for the Ninth Circuit on July 14, 1972, where he was chief judge from February 1991–March 1996 and took senior status in April 1996. He graduated from San Diego State University and the University of California–Berkeley School of Law. He was a scholar at the Woodrow Wilson International Center for Scholars and a member of the Advisory Panel to the American Enterprise Institute for Public Policy Research's 10-year Project to Study the Constitution. Judge Wallace received a special assignment from the Chief Justice to prepare a study on the future of the judiciary and to make appropriate recommendations. He has lectured and taught courses in judicial administration in the United States and throughout the world and has consulted with over 50 judiciaries worldwide. Judge Wallace developed the concept of the Conference of Chief Justices of Asia and the Pacific and originated the idea for and developed the concept for the American Inns of Court.

HON. PAUL MICHAEL WARNER was appointed as a U.S. magistrate judge for the District of Utah on Feb. 18, 2006. A graduate of Brigham Young University and the J. Reuben Clark Law School at BYU, he also received a masters degree from the Marriott School of Management at BYU. Judge Warner served six years as a trial lawyer in the Judge Advocate General Corps of the U.S. Navy; he later worked in the Utah Attorney General's Office for seven years. In 1989, he joined the U.S. Attorney's Office for the District of Utah where he worked for 17 years, including serving two terms as the U.S. attorney for the District of Utah. He also served two years as chairman of the Attorney General's Advisory Committee of U.S. Attorneys from 2001–2003, under Attorney General John Ashcroft. Judge Warner also served as a colonel in the Judge Advocate General Branch of the Utah Army National Guard; he retired in September 2006 after 31 years of commissioned service.

FBA ANNUAL MEETING AND CONVENTION

September 20–22, 2012 • San Diego, California

Please complete both sides. Mail registration to: FBA, Attn: 2012 Convention Registration, 1220 N. Fillmore St., Ste. 444, Arlington, VA 22201 or fax to: (571) 481-9090. Payment must accompany your registration.

Registrant Information

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Name to Appear on Badge		Guest's Name to Appear on Badge (if applicable)	
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Please complete the registration worksheet on reverse. Registrations received without payment will not be processed.

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Convention Registration. Be sure to submit your registration before September 12, 2012, to avoid administrative fees. Please send both sides of this form or register online at www.fedbar.org. Payment must accompany your registration. Mail registration to FBA, Attn: 2012 Convention Registration, 1220 N. Fillmore St., Suite 444, Arlington, VA 22201. Registration with credit card payment can be faxed to (571) 481-9090. If you have any questions about the convention or the registration process, please contact the Kate Faenza at (571) 481-9100 or kfaenza@fedbar.org.

Continuing Legal Education Credit. If you would like your attendance at the convention's CLE programs to be reported to a state agency with mandatory CLE requirements, please bring your state bar identification numbers with you to the convention. The appropriate paperwork will be available at the FBA registration desk.

Cancellation Policy. All cancellations must be received in writing at the FBA, Attn: 2012 Convention, 1220 N. Fillmore St., Suite 444, Arlington, VA 22201. We will not accept any cancellations over the phone. No cancellations will be accepted or refunds issued after September 5, 2012. No-shows will be billed.

Accommodations. Special conference rates have been established at the Manchester Grand Hyatt, located at One Market Place, San Diego, CA 92101. The conference rates are as follows: \$199 single or double occupancy; \$224 triple occupancy; \$249 quad occupancy. Reservations can be made by calling (800) 633-7313. Hotel reservations must be made by August 27, 2012.

Continuing Legal Education

CLE sessions can be purchased by full package, by day, or by individual session. Please specify quantity of tickets and subtotal the amount in the spaces provided. Dates, times, and sessions are subject to change.

	Qty. FBA Member	Qty. Nonmember	Subtotal
Full CLE Package (8 hrs.)	_____ \$310	_____ \$390	_____
One-Day Package: Thursday, Sept. 20 (5.75 hrs.)	_____ \$210	_____ \$260	_____
One-Day Package: Friday, Sept. 21 (3.25 hrs.)	_____ \$130	_____ \$170	_____

Individual Sessions, Thursday, Sept. 20:

8:30–9:30 a.m.	Session 1A: Legal Standards and Effective Advocacy (1 hr.)	_____ \$40	_____ \$50	_____
8:30–9:30 a.m.	Session 1B: Veterans in Criminal Court (1 hr.)	_____ \$40	_____ \$50	_____
9:45–10:45 a.m.	Session 3A: Hot Topics in International Environmental Law (1 hr.)	_____ \$40	_____ \$50	_____
	Session 3B: Professional Liability and Legal Malpractice (Ethics) (1 hr.)	_____ \$40	_____ \$50	_____
11:00 a.m.–12:15 p.m.	Session 2: Supreme Court Review of the 2011–2012 Term and Preview of the Upcoming Term (1.25 hr.)	_____ \$40	_____ \$50	_____
2:15–3:45 p.m.	Session 4A: The Supreme Court's 2011 Class Action Revolution (1.5 hr.)	_____ \$45	_____ \$55	_____
2:15–3:45 p.m.	Session 4B: The Tribal Law and Order Act and Its Effect on California (1.5 hr.)	_____ \$45	_____ \$55	_____
4:00–5:00 p.m.	Session 5A: Immigrant Rights Under the Constitution (1 hr.)	_____ \$40	_____ \$50	_____
	Session 5 B: Confirm or Ignore? Social Media Technologies Like Facebook Offer a Wealth of Evidence for Litigators (1 hr.)	_____ \$40	_____ \$50	_____

Individual Sessions, Friday, Sept. 21:

8:00–8:40 a.m.	Ninth Circuit Swearing In Ceremony	_____ \$0	_____ \$0	_____
8:45–9:45 a.m.	Session 6A: <u>Padilla v. Kentucky</u> : Vacating Criminal Convictions (1 hr.)	_____ \$40	_____ \$50	_____
	Session 6B: Trends in Labor and Employment Law (1 hr.)	_____ \$40	_____ \$50	_____
10:00–11:00 a.m.	Session 7A: The Expansion of Federal Criminal Jurisdiction (1 hr.)	_____ \$40	_____ \$50	_____
	Session 7B: Patent Litigation Under the AIA (1 hr.)	_____ \$40	_____ \$50	_____
11:15 a.m.–12:15 p.m.	Session 8A: The 10 Bankruptcy Cases From the Past Year That Will Affect Your Law Practice (1 hr.)	_____ \$40	_____ \$50	_____
	Session 8B: How Big Data Affects eDiscovery (1 hr.)	_____ \$40	_____ \$50	_____
2:15–3:30 p.m.	Session 9: Survive and Thrive: Perspectives for a Younger Lawyer (1 hr.)	_____ \$40	_____ \$50	_____

CLE Subtotal: _____

Social Events

Social events can be purchased as packages and as individual events. Specify quantity of tickets and subtotal amount in the spaces provided.

	Qty. FBA Member	Qty. Nonmember	Subtotal	
Full Social Package Includes one ticket for each social event.	_____ \$355	_____ \$465	_____	
Guest Social Package Includes one ticket for each evening function only.	_____ \$210	_____ \$290	_____	
Luncheons				
Sept. 20, 12:30–2:00 p.m.	Foundation of the FBA Fellows Luncheon	_____ \$55	_____ \$65	_____
Sept. 21, 12:30–2:00 p.m.	Younger Federal Lawyer Awards Luncheon	_____ \$55	_____ \$65	_____
Sept. 22, 11:45 a.m.–1:45 p.m.	FBA Awards Luncheon	_____ \$55	_____ \$65	_____
Evening Functions				
Sept. 20, 6:30–9:30 p.m.	Reception at the <u>U.S.S. Midway</u> Museum	_____ \$70	_____ \$90	_____
Sept. 21, 6:00–9:00 p.m.	Open Air Fiesta by the San Diego Bay	_____ \$65	_____ \$85	_____
Sept. 22, 6:30–10:30 p.m.	Reception and Presidential Installation Banquet	_____ \$105	_____ \$145	_____

Social Events Subtotal: _____

An Administrative Fee of 20% will be applied if postmarked after Sept. 12, 2012 _____ 20% _____ 20% _____

TOTAL AMOUNT (Subtotals from CLE, Social Events, and Administrative Fee, if Applicable): _____

*FBA Sustaining members may deduct 5% of total.

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American Airlines has partnered with the FBA for a 5% conference discount valid for travel September 16-25, 2012, to San Diego, CA. When making airline reservations, call American Airlines at 1-800-433-1790 and refer to Promotion Code 6392AZ or go online to www.aa.com and choose More Flight Search Options and insert the promotion code in the appropriate box. See www.fedbar.org/AMtransportation for full details and rules.



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