



WINSTON  
& STRAWN  
LLP

EMBRACING HUMANITY | RESTORING JUSTICE | UPLIFTING LIVES

# 2022 Pro Bono Impact Report

# Winston's 2022 Pro Bono Commitment and Impact

60,000+

HOURS CONTRIBUTED TO  
PRO BONO

25%

OF PRO BONO HOURS WERE  
SPENT ON RACIAL JUSTICE &  
EQUITY MATTERS

950+

CLIENTS SERVED

66

AVERAGE HOURS PER  
ATTORNEY SPENT ON PRO  
BONO MATTERS

97%

OF ATTORNEYS FIRMWIDE  
CONTRIBUTED 20 OR  
MORE HOURS

No. 14

ON THE AMERICAN LAWYER  
U.S. PRO BONO SCORECARD

# Pro Bono Matters

**Winston's pro bono work brings our firm's longstanding values and culture of service to life. It matters deeply to those we support and to our own attorneys.**

Whether we're protecting an abused and neglected child from further violence or helping female Afghan students gain asylum in the U.S. so they can complete their college education, our pro bono work shows—in stark relief—the real difference our legal skills and services can make in people's lives. We repeatedly hear from our individual clients how intimidating it can be to figure out the twists, turns, and formalities of the legal system. The relief they express in obtaining competent legal guidance is often nearly palpable—and also deeply affects the attorneys who answered the call for pro bono service.

Pro bono service is a vitally important supplement to the commercial work we do, and I'm extremely proud of Winston's reputation as an outstanding pro bono firm. I am also deeply grateful to our talented and dedicated attorneys and pro bono staff who consistently make the time—in an industry known for intense workloads—to also serve our pro bono clients. Finding time for pro bono can be challenging, but it is some of the most rewarding work we can do.

As a Black woman, it is not lost on me that many of our clients are people of color and/or members of other minority groups. Having personally witnessed some of the obstacles these communities regularly

face, I truly appreciate the opportunity to offer meaningful assistance to those who need it through our Racial Justice & Equity CEASE Initiative and other pro bono work.

As you read the stories in this report, I hope you feel as proud and inspired as I do by the dedicated attorneys who bring Winston's commitment to pro bono service to life, the vast majority of whom we are not able to feature in this condensed summary. I also hope you will take time to read the sidebar quotes from Winston attorneys speaking about how much pro bono service matters to them.

With respect and appreciation,



**ANGELA A. SMEDLEY**  
PRO BONO COMMITTEE CHAIR



# Fighting for Racial Justice & Equity

Combatting racial injustice and inequity is a longstanding focus of Winston's pro bono practice. However, in the wake of the shocking murder of George Floyd and injustice against so many fellow citizens who are Black or other racial/ethnic minorities, we decided we had to do more.

In September 2020, we established the **Racial Justice & Equity CEASE Initiative** and pledged 100,000 pro bono hours to advancing racial equity—an investment of \$50 million over five years.

Our CEASE Initiative focuses on five critical areas for change:

**C**riminal justice and criminal justice reform

**E**ducational and vocational opportunity

**A**ccess to the political system

**S**ocial welfare

**E**conomic development

# An Improperly Jailed Client Obtains Justice

Following a federal trial, a Winston team secured a favorable settlement for our client, who had been arrested and incarcerated for three months before the charges were dropped for lack of evidence.

During the three months that our client was in jail, law enforcement was always in possession of key evidence that exonerated him. Not only did authorities fail to disclose this evidence, but they also affirmatively misrepresented the substantive nature of the evidence in the arrest warrant.

After being released from jail, our client filed a pro se lawsuit for false arrest. Winston attorneys, while in court on an unrelated matter, heard him argue against a motion to dismiss. The Winston team later stepped in to represent him and asserted that the police conduct amounted to multiple deprivations of our client's constitutional rights. Along the path to trial and eventual settlement, Winston secured a favorable summary judgment ruling that cements precedent on the constitutional doctrines of Fourth Amendment probable cause, Fourteenth Amendment due process, and qualified immunity.

This case reached its climax with a trial in the Northern District of California, before an in-person,

eight-member jury. The trial was resolved with a jury hung on whether the police misrepresentations were intentional, reckless, or merely negligent. After reaching a strategically advantageous position following the trial, Winston secured a significant settlement for our client.

"This case really makes a strong statement for the importance of pro bono matters for fostering justice. Our client's case would likely have been dismissed on procedural grounds if we had not taken the case. Instead, our client received a life-changing settlement payment and was able to hear a United States district judge sternly admonish the police in open court for misleading the court and warned that such behavior must stop," said Los Angeles partner David Enzminger.

The Winston team that secured this settlement included **Carol Alexis Chen, David Enzminger, Dillon Kellerman, Nikki Khorram, Janelle Li-A-Ping, Krishnan Padmanabhan, and Mike Tomasulo.**

## WHY PRO BONO MATTERS TO ME ...



“My pro bono work has provided me with an outlet to work on matters that are truly important to me and that I otherwise would not be able to handle.”

**SEAN SUBER, PARTNER, CHICAGO OFFICE**

# Supporting Black Tech Entrepreneurs

**Winston's transactional attorneys are helping Fifth Star Funds to create a more inclusive and equitable tech ecosystem.**

**Fifth Star Funds** addresses systemic funding inequities by providing the crucial, early-stage “friends and family funding” that many Black founders struggle to raise. In 2020, Winston played an instrumental role in the creation of Fifth Star Funds by providing formation counsel, helping to secure its tax-exempt status, and advising on intellectual property concerns.

Today, Fifth Star Funds is winning awards for helping fuel the success of Black founders, and Winston attorneys remain deeply involved supporting both Fifth Star Funds and the entrepreneurs it supports. Winston attorneys are currently providing legal advice to 11 Black-owned tech start-ups including an on-demand cybersecurity platform, an online radio station that plays queer and independent music, and a website that lets consumers earn money by renting their furniture to others.

The Winston team supporting Fifth Star Funds and its portfolio companies includes **Jacob Botros, Ben Chrisman, Peter Clarke, Chris Dombkowski, Sheryl Falk, Christian Gray, Andrew Homann, Jeffrey Huelskamp, Michelle Kallick, Dennis Kelly, Benjamin Kern, Stephen Kong, Mary Katherine Kulback, Danielle Marr, Nathaniel Oldach, Jason Osborn, Geoff Rahie, Jose Rodriguez, Eric Shinabarger, Susan Storale, Alessandra Swanson,** and **T. Justin Trapp.**

## WHY PRO BONO MATTERS TO ME ...



“Our pro bono program enables us to defend just causes, promote the rule of law and ensure accountability. In that sense, pro bono work may be the most rewarding in a lawyer’s legal career.”

**MARIA KOSTYTSKA, PARTNER, PARIS OFFICE**

# Winston Secures Reversal of a Conviction Based on a Pretextual Stop

**A Winston team won an important appeal that affirmed the Fourth Amendment’s protection against unreasonable searches and seizures—helping to safeguard private citizens from illegal police intrusions.**

Our client was walking home late at night when a police officer spotted him and followed him down a narrow alley. As the officer got closer to our client, the officer claimed that he saw our client holding a cup filled with unidentifiable liquid. According to the officer, he then decided to approach our client to investigate whether he was violating a local ordinance that prohibits carrying an open container of alcohol in a public way. The officer then cut off our client with his police SUV and began questioning him about the contents of the cup. After the officer issued a citation, he decided to frisk our client, at which time he discovered an unlicensed firearm.

Our client was charged with unlawful possession of a firearm. Prior to trial, our client moved to suppress the search evidence, arguing that the officer’s conduct violated his Fourth Amendment rights. The trial court denied his motion. After a bench trial, the court convicted our client and sentenced him to one year in prison and one year of mandatory supervised release.

On appeal to the Illinois First District Appellate Court, the Winston team argued that our client’s conviction should be reversed for two reasons. First, Winston argued that the officer’s detention of our client was an unconstitutional seizure because there was no reasonable suspicion that he was committing a crime at the start of the stop. Second, Winston argued that the officer’s frisk was an unconstitutional search because there was no reason to think that our client was armed and dangerous when the pat-down began.

The appellate court agreed on both grounds, reversing our client’s conviction and vacating his sentence. In its order, the court repeatedly referenced Winston’s oral argument and briefs.

“When a search violates a person’s basic rights, then our collective right to be free from unlawful stops and seizures is undermined,” said Chicago partner Sean Suber.

The Winston team included **Julie Bauer, James Randall,** and **Sean Suber.**

# Winston Helps Formerly Incarcerated Firefighters Expunge Their Records and Obtain Employment

Every year, thousands of people incarcerated in the California prison system receive training and then volunteer to help the state fight wildfires.

The large majority of them, however, have been unable to get a full-time firefighting job upon release due to their criminal records. Understanding the inequity in this situation, Governor Newsom signed a law in 2021 that allows people who served in “fire camp” to apply for expungements of their convictions.

To support these former firefighters after they are released from prison, Winston collaborates with **Root & Rebound**, a reentry legal services organization that helps people who have criminal records navigate the many barriers they face. Winston attorneys help these formerly incarcerated firefighters file the necessary forms to expunge their records, which significantly improves their chances of obtaining an EMT license and a firefighting job.

Winston attorneys who have helped these heroic firefighters begin a new chapter in their lives include **Cesie Alvarez, Elizabeth Buttitta, Louis Campbell, Peggy Dayton, Khoa Do, William Forman, Amanda Groves, Jacob Harding, Nick Howe, Kelly Hunsaker, Amy Inagaki, Yarden Kakon, Bobby Li, David Lin, James Lin, Matt McCullough, Shawn Obi, Javier Oliver-Keymorth, Eimeric Reig-Plessis, Mike Rueckheim, John Schreiber, Elizabeth Walker, Paul Walker, and Billy Wardlaw.**





# Serving Those Who Serve Their Country

# Winston Wins Historic Federal Appeal That Allows Sikh-American Marine Recruits to Freely Practice Their Religious Beliefs

Winston attorneys secured a precedent-setting preliminary injunction in the U.S. Court of Appeals for the D.C. Circuit that allows Sikh recruits to immediately begin U.S. Marine Corps boot camp without having to compromise their religious beliefs.

The preliminary injunction allows the men to keep their articles of faith intact, which include wearing unshorn hair, a turban, a steel bracelet, a small ceremonial sword, a comb, and a special undergarment. For many observant Sikhs, failure to maintain these articles of faith is akin to committing adultery, and throughout history Sikhs have chosen death over cutting their hair.

“More than 100 Sikhs already serve with their articles of faith in the U.S. Army and the U.S. Navy. We hope this injunction will lead to comprehensive policy across all of the Armed Forces for all Americans,” said Washington, D.C. partner Amandeep Sidhu.

In April 2022, Winston, along with **The Sikh Coalition** and co-counsel at **Becket** and **BakerHostetler**, filed a religious discrimination suit against the U.S. Department of Defense on behalf of Sikh-American recruits who were denied a religious accommodation from the Marine Corps to wear their articles of faith. In response, the Marine Corps agreed to accommodate Sikh-Americans only after they completed boot camp. In other words, the Marine Corps determined that Sikh-American recruits had to relinquish their Sikh identity in order to become Marines.

Plaintiffs sought a preliminary injunction in the U.S. District Court for the District of Columbia that would allow them to attend boot camp while their case was litigated, but they were denied. On review of the denial, the D.C. Circuit handed down this historic win for the Sikh Marine recruits and for religious freedom.

The appellate court rejected the Marine Corps’s arguments, holding that the preliminary injunction would increase diversity in the military and was in keeping with the Religious Freedom Restoration Act. The court also noted that the Marine Corps’s rejection of the Sikh articles of faith is inconsistent with its policies that allow beards for medical reasons and longer hair for women.

The Winston team that secured this historic win was led by **Amandeep Sidhu** and included **Guy Collier, Spencer Churchill, Lisa Coutu, John Harding, Nasir Hussain, Hannah Shankman, T. Reed Stephens, Mia Uhunmwuango**, and **Jamie Vargo**.

# Service Members Living With HIV Win Landmark Victory—Allowing Them to Serve Their Country

Winston attorneys won a landmark federal district court ruling that requires the Department of Defense (DOD) to allow asymptomatic HIV-positive service members with undetectable viral loads to deploy in the U.S. military, thus ending decades of discriminatory treatment.

The federal district court's permanent injunction stems from two lawsuits filed in 2018 by Winston, **Lambda Legal**, and **The Modern Military Association of America**. The first lawsuit was filed on behalf of Sgt. Nick Harrison, a lawyer and veteran of two overseas combat tours, who was denied a position in the Judge Advocate General Corps because Pentagon policy considers service members living with HIV non-deployable. The second lawsuit was filed on behalf of two active-duty airmen who were notified by the Air Force that they would be discharged because they could not deploy under current DOD policies due to their HIV-positive status.

The decision follows a January 2020 ruling by the U.S. Court of Appeals for the Fourth Circuit,

which upheld a preliminary injunction preventing the discharge of the two airmen and stated that “any understanding of HIV that could justify this [deployment] ban is outmoded and at odds with current science.”

Numerous Winston attorneys and alumni contributed hundreds of hours toward achieving this significant win. Current Winston attorneys who worked on this matter include **Julie Bauer**, **Jack Cartwright**, **Bryce Cooper**, **John Drosick**, **Lauren Gailey**, and **John Harding**. Senior paralegal **Gregory Skogg** provided invaluable assistance to the team.

## WHY PRO BONO MATTERS TO ME ...



“With every single pro bono matter I’ve handled I know that individuals’ lives were directly impacted. There is no greater feeling as a lawyer than to have a client tell you ‘thank you; you changed my life.’”

**AMANDEEP SIDHU, PARTNER, WASHINGTON, D.C. OFFICE**

# Empowering Wounded Veterans With Smart Homes

Winston transactional attorneys have helped nearly 50 wounded veterans to gain access to smart homes that help them regain their independence.

**The Gary Sinise Foundation**—founded by the actor who played Lieutenant Dan Taylor in the Academy Award-winning film *Forrest Gump*—is dedicated to supporting America’s heroes. Since 2019, Winston’s transactional attorneys have provided pro bono assistance to the foundation’s Restoring Independence and Supporting Empowerment (RISE) Program, which designs and builds 100% mortgage-free smart homes for severely wounded service members. These specially adapted homes make day-to-day living easier for wounded veterans.

Winston attorneys help the veterans to finalize the transfer transaction and take possession of their new homes.

The Winston team includes **Juan Azel, Cole Beaubouef, Isabelle Ferrarini Bueno, Jeff Dobosh, William Egler, Richard Falek, Chip Gage, Christina George, Patrick Hardiman, Tom Hughes, Andy Hutchinson, John Kalyvas, Daniel Katz, Lindsey Kell, Brian Kozlowski, Monica Lopez-Rodriguez, Rick Martin, Richard Puttré, Sarah Rasor, Nicholas Rodriguez, Claude Serfilippi, Danielle Staniel, Christina Tate, Aaron Walker, Christina Wheaton, Victoria Williamson, and Ekaterina Wyn Jones.**

## WHY PRO BONO MATTERS TO ME ...



“My pro bono work allows me to help clients who don’t know where to turn. As one of those clients said, ‘We started this process feeling like victims and came away as victors.’”

**JARED KESSLER, PARTNER, MIAMI OFFICE**



# U.S. Marine Who Self-Medicated for PTSD Receives a Discharge Upgrade to Honorable

Winston helped a Marine Corps veteran—who was discharged for “other than honorable” reasons after using illegal drugs to self-medicate combat-related medical symptoms—to upgrade his discharge to the highest category of “honorable.”

Our client joined the United States Marine Corps in 2007 at the age of 18 and was deployed to an active combat zone as part of Operation Iraqi Freedom. While deployed, he sustained three traumatic brain injuries (TBIs) as well as hearing and vision loss. In addition, he suffered from a speech impediment and ongoing migraine headaches, depression, anxiety, and numerous musculoskeletal issues as a result of his combat injuries.

Our client was discharged in lieu of a court-martial after he was arrested while on leave for possessing illegal drugs, which he was using to self-medicate his combat-related symptoms. Given his well-documented injuries and Post Traumatic Stress Disease (PTSD), he applied pro se for a discharge upgrade, but was denied.

In 2020, Winston stepped in and drafted a renewed memorandum in support of his discharge upgrade. Following oral arguments presented in 2022, the Naval Discharge Review Board (NDRB) found that our client’s discharge was proper, but not equitable.

Citing his “heroic actions in combat, his personal sacrifice, and his significant diagnosis of PTSD and TBI,” the NDRB found that his condition of discharge “should reflect in its entirety, honorable service to our nation.”

**Tom Jarvis** secured this life-changing discharge upgrade for our client.





# Empowering Women Worldwide



# Advocating for The Equal Rights Amendment

Winston is actively engaged in efforts to secure federal recognition and implementation of the ERA as the 28th Amendment to the U.S. Constitution.

The firm's involvement with the ERA began in 2017 when Winston, under the leadership of Chicago partner **Linda Coberly**, joined the revived and subsequently successful campaign for ratification in Illinois. Winston lawyers were also part of the effort to secure ratification in Virginia, which in 2020 provided the 38th and final necessary ratification. And Charlotte partner **Danielle Williams** and others remain actively engaged in ratification campaigns in North Carolina and other states.

The firm is also active on the national stage. Winston joined the national **ERA Coalition** as a Lead Organization—the first law firm to do so. Linda Coberly serves as chair of the Coalition's Legal Task Force—a group of constitutional scholars advocating for the ERA.

Now that the ERA has met all constitutional requirements, the Coalition's attention has turned to Congress, which has the power to remove the seven-year time limit that Congress imposed on ratification when it proposed the ERA to the states in 1972. The Legal Task Force is collaborating with Senate staffers to draft and introduce an updated version of the resolution, which would recognize the ERA as valid today.

The firm has also advocated for the ERA in the courts. The Attorneys General of Illinois and Nevada filed a lawsuit in 2020 to compel the Archivist of the United States to publish the amendment now that it has been ratified by three-quarters of the states. After losing in the district court, the Attorneys General appealed to the D.C. Circuit. Winston also filed amicus briefs on behalf of the ERA Coalition and more than 50 other organizations that fight for sex equality and women's rights. The appeal was argued in September and remains pending.

"The need for the Equal Rights Amendment has never been greater. Despite progress on many fronts, women are still consistently underrepresented in positions of power and overrepresented among those living in poverty. The ERA has now satisfied all constitutional requirements to become the 28th Amendment, and it is time for the amendment to be recognized," said Chicago partner Linda Coberly.

## WHY PRO BONO MATTERS TO ME ...



“My aspiration and goal not only as an attorney but in my everyday life is to help others. Pro bono service fulfills this aspiration and helps me become a better attorney for my clients.”

**SOFIA BONFIGLIO, ASSOCIATE, NEW YORK OFFICE**

# Ensuring Equality in State Laws

More than 100 Winston attorneys worldwide are participating in a massive effort to review the general statutes, regulations, and constitutions of various states to ensure that those state laws are consistent with the terms of the ERA, which states, “Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.”

The review, which is being conducted at the request of local and national ERA advocates, involves more than 100 Winston attorneys. Led by **Erica Smilevski** and managed by **Laurence Legall**, Winston attorneys are conducting an exhaustive and painstaking review of the state laws to identify and revise laws that may allow disparate treatment between genders such as different obligations for fathers and mothers or different criminal sentencing guidelines for men and women.

The firm’s litigation support and e-discovery team also downloaded the general statutes, regulations, and constitutions for each state and is using e-discovery software to identify all gender-specific terms in the documents, such as “he” or “she,” or “policeman” rather than “police officer,” which the legal team reviews and revises as appropriate.

## WHY PRO BONO MATTERS TO ME ...



“My work as a corporate attorney is often disconnected from the lives of the people who benefit from it, through pro bono work I’ve been able to directly witness the real impact of my work in ways that clarifies my sense of purpose.”

**LUISA PATONI, ASSOCIATE, HOUSTON OFFICE**





# Supporting the LGBTQ+ Community



# Winston Wins Historic Reforms Protecting LGBTQ+ Individuals from Discriminatory Police Profiling

Winston negotiated a settlement agreement with the Port Authority of New York and New Jersey that provides compensatory damages as well as significant changes to the way Port Authority Police Department officers interact with the LGBTQ+ community.

Winston and our co-counsel, the **Legal Aid Society of New York**, filed a federal lawsuit in 2017 in the United States District Court for the Southern District of New York asserting that Port Authority Police Department (PAPD) officers routinely engaged in policing that illegally targeted men perceived to be members of the LGBTQ+ community.

In a February 2021 summary judgment decision allowing the case to move to trial, the court found plaintiffs had “proffered evidence to establish that the PAPD officers had engaged in a pattern of policing specifically targeting men perceived as gay, bisexual, or otherwise gender non-conforming for arrest without probable cause on charges for public lewdness after using the Port Authority Bus Terminal men’s restrooms.”

After more than 12 months of negotiations, the PAPD has agreed to provide monetary relief to plaintiffs and institute sweeping reforms, including:

- Ending plainclothes patrols of restrooms for lewdness and exposure and requiring the highest level senior PAPD sign-off for any future patrols
- Designating a high-ranking PAPD staffer as the Chief of Agency Affairs and a point of contact for LGBTQ+ community members
- Adopting revised LGBTQ+ nondiscrimination policies that incorporate modern terminology
- Implementing LGBTQ+ nondiscrimination training for new recruits that will be conducted by the Gay Officer Action League

- Roll-call trainings on PAPD’s policy banning bias-based policing and requiring a statement of individualized probable cause to justify an arrest
- Posting signs outside single-stall restrooms designating them as gender neutral
- Updating the Civilian Complaint form to include broader categories of sexual orientation and gender identity and to make the form more accessible on the Port Authority website

“We are proud that this litigation has compelled the Port Authority Police Department to meaningfully reevaluate the way it trains and supervises its officers and the way they engage with the diverse communities that pass through its facilities—both in New York and New Jersey,” said Winston vice chairman Michael Elkin.

Additionally, the PAPD will advise commands that the department views any substantiated complaint of discrimination based on race, religion, national origin, or sex as a serious violation of an officer’s oath of office that warrants disciplinary charges.

“This settlement caps many years of tireless litigation that has achieved a just outcome for which we simply should not have had to fight so hard,” said New York partner Seth Spitzer.

The Winston team that worked on this matter included **Cesie Alvarez, Jack Cartwright, Michael Elkin, Karen Forte, David Houck, Seth Spitzer, Matthew Stark, and Michelle Tuma.**



# Mother of Deceased LGBTQ+ Navy Veteran Secures the Military Burial Her Son Dreamed of Having

Winston helped a grieving mother secure a military burial for her son who was removed from service in the late 1980s by the U.S. Navy with an “other than honorable” discharge after he admitted to being gay. He then spent much of the next 30 years homeless and fighting depression and illness.

In 2011, after the U.S. military repealed its “Don’t Ask, Don’t Tell” policy, our client attempted to have his discharge upgraded but was unsuccessful. Shortly before his death, however, our client contacted the National Veterans Legal Service Program (NVLSP) for help with having his discharge changed.

Following our client’s death, his mother postponed his burial service with the hope that his discharge would be upgraded and he could receive a military burial. NVLSP then reached out to Winston for help, and together with his mother, we ensured that our client received the full military honors he had earned and deserved.

When our client’s mother learned that her son’s discharge had been upgraded, she said, “I am sitting here in tears after receiving this most excellent news. Martin loved the Navy so much and although he’s not alive to celebrate with me and his brothers, I know he would be overjoyed.”

**Rachel Wilson** secured this particularly poignant discharge upgrade for our client and his mother.

## WHY PRO BONO MATTERS TO ME ...



“When someone else’s Kilimanjaro is your speed bump, you make time to help.”

**DANIELLE WILLIAMS, PARTNER, CHARLOTTE OFFICE**

# Transgender Individuals in Federal Custody Win Landmark Victory Allowing Them to Receive Gender-Affirming Care

**After a three-year battle with the U.S. Bureau of Prisons (BOP), Winston secured a settlement that will enable a transgender woman to become the first person in federal custody to receive gender-affirming surgery.**

Alongside our co-counsel, the **American Civil Liberties Union**, Winston attorneys represented Cristina Iglesias against BOP, which diagnosed her with gender dysphoria in 1994 but refused to provide her with gender-affirming medical care.

In December 2021, a federal court ordered BOP to evaluate Cristina for gender-affirming treatment, stating that she “suffers daily and is at risk of self-mutilation and suicide” due to her gender dysphoria and is “running out of time.”

In April 2021, the federal court accused BOP of delay tactics akin to playing a game of “whack-a-mole” and ordered BOP to immediately find a qualified surgeon to provide Cristina with male-to-female sex reassignment surgery.

In May 2021, she became one of the first federal transgender prisoners to be transferred to a facility matching their gender identity. Additionally, BOP revised its Transgender Offender Manual to recommend that housing decisions be made based on a person’s gender identity rather than their anatomy.

The June 2022 settlement contains several commitments to improve the experience of transgender people in federal custody. These commitments include establishing target timelines for considering requests for gender-affirming treatments and recognizing permanent hair removal and gender-affirming surgery as medically necessary treatments for gender dysphoria. BOP will also update its training and resources for BOP employees.

“This is a significant and very meaningful victory for the 1,200+ transgender individuals currently in federal custody who have been denied gender-affirming care,” said Chicago associate Frank Battaglia.

The Winston team that won this victory included **Frank Battaglia, Courtney Block, Henry Blattner, Alexander Kontopoulos, Kurt Mathas, Shannon Lemajeur Miller, Gianna Santoro, and Meghan Tobin.**

# Winston Helps Bring NYC's Pride Island Back to Life

Winston attorneys proudly played a behind-the-scenes, yet pivotal role in helping NYC Pride bring back Pride Island—an annual music festival that is a potent symbol of the LGBTQ+ community's right to come together to celebrate and dance.

Winston attorneys began working in December 2021 to help NYC Pride safely produce an in-person Pride Island in 2022, for the first time in three years. COVID-19 concerns caused the cancellation of Pride Island in 2020 and 2021. The Winston team advised on transaction documents, including service agreements with production companies, talent contracts with artists, a broadcast production agreement, a vessel charter agreement, and venue agreements and permits with the Trust for Governor's Island, where the event was taking place for the first time.

The Winston attorneys who worked on Pride Island included **Mats Carlston, Wooseok Ki, Bill Lang,** and **Sangil Min.**



# Protecting Refugee and Immigrant Rights





# Winston Wins Settlement That Curtails Racial Profiling and Warrantless Arrests by ICE

Winston attorneys negotiated a settlement agreement with U.S. Immigration and Customs Enforcement (ICE) that curtails its use of illegal traffic stops and mass-arrest practices nationwide.

In May 2018, Winston served as co-counsel with the **National Immigrant Justice Center** and the **American Civil Liberties Union of Illinois** in a federal class action lawsuit filed against ICE for relying on warrantless traffic stops and racial profiling to arrest and detain Latinx individuals presumed to be living in the U.S. without proper documentation. The lawsuit charged ICE with violating the Immigration and Nationality Act and the Fourth Amendment by conducting pretextual traffic stops in order to fingerprint members of the Latinx community and by failing to obtain warrants before making mass arrests in community enforcement raids, otherwise known as “ICE sweeps.”

On February 8, 2022, the District Court for the Northern District of Illinois approved a final settlement agreement that requires ICE to implement policies nationwide to prevent officers from making arrests and vehicle stops that violate statutory and constitutional limits. Under the agreement, ICE is required to:

- Make vehicle stops only if ICE has reasonable suspicion—based on specific, articulable facts—that a particular person inside a vehicle does not have legal status
- Document the specific, particularized facts supporting the legal basis for a collateral arrest and vehicle stop
- Conduct training nationwide on the new policies and amending ICE training materials

“We are grateful to have played a role in holding ICE accountable and reducing the fear of unlawful arrest that so many people of color live with by ensuring that our country’s immigration laws are applied in a nondiscriminatory, constitutional manner,” said Chicago partner Ivan Poullaos.

**Pat O’Meara** and **Ivan Poullaos** won this important victory for immigrants.



# Assisting Female Afghan Students Seeking Asylum

Winston is part of a national coalition of law firms helping 145 female Afghan college students secure asylum in the United States.

The women are former students at the Asian University for Women in Kabul who were evacuated to the U.S. in the summer of 2021, when the Taliban seized control of their country. They are now enrolled in colleges and universities across the U.S. and the firm is helping eight of them obtain asylum in the United States.

Winston attorneys have helped the women prepare and file their applications for asylum and represented them during their asylum interviews. All eight women are now awaiting a decision from the United States Citizenship and Immigration Services.

Twenty Winston attorneys, across seven U.S. offices, stepped up to help these young women and included **Casey Berger, Jeremy Chu, Guy Collier, Tim Dable, Brandon Davidson, Pat Doyle, Chip Gage, Hannah Gallagher, Ben Griffith, Will Hamilton, Brett Johnson, Diana Leiden, Becca Loegering, Lara Markarian, Amanda Mueller, Luisa Patoni, Denise Scofield, Megan Tobin, Miriam Vranderic, and Rachel Wilson.**

## WHY PRO BONO MATTERS TO ME ...



“I recently worked on a DACA project, which allowed me to make a meaningful difference in my client’s life. It was a fulfilling, yet humbling, experience for me and reminded me of the importance of taking on pro bono matters and giving back to our communities.”

**MICHAEL WU, PARTNER, SAN FRANCISCO OFFICE**

# Afghan Journalist Who Fled the Taliban Secures Asylum in the U.S.

Winston helped Fatema Hosseini, a female journalist who fled Afghanistan when it fell to the Taliban in August 2021, secure asylum in the United States.

As a journalist who frequently criticized the Taliban and as the daughter of an Afghan national soldier, Fatema knew she faced harsh reprisals and possibly even death under the new government. With her university diploma sewn into a scarf tied around her waist and hidden under a head-to-toe covering the Taliban requires women to wear, Fatema made her way to Hamid Karzai International Airport in Kabul. There, thousands of Afghans clamored to get past Taliban checkpoints set up outside the gates to the airport. After several days of waiting amid gunfire from Taliban fighters, colleagues at *USA Today* helped Fatema to finally board a plane to freedom and safety.

Fatema arrived in the U.S. on the 20th anniversary of 9/11 and *USA Today* editor-in-chief Nicole Carroll opened her home to Fatema. Nicole also asked her neighbor, Washington D.C. partner **Chris Man**, for help securing permanent asylum for Fatema.

Today, Fatema is a permanent resident of the United States and earning a master's degree in investigative journalism at the University of Maryland. After she graduates, Fatema plans to write about the discrimination and persecution that Hazaras and other ethnic minorities in Afghanistan face.

# Partnering Globally With NGOs

# Holding Russia Accountable for War Damages

Winston attorneys in Paris, London, and Washington, D.C. are developing legal remedies for compensating Ukrainian individuals and entities for the damage caused by Russia's war in Ukraine.

Russia's invasion of Ukraine, in February 2022, has caused massive damage to property and infrastructure as well as physical injuries. Under the leadership of Paris partner Maria Kostytska, Winston attorneys in Paris, London, and Washington, D.C. are actively working with the **Ukrainian Arbitration Association** to research, analyze and formulate remedies for providing financial relief to Ukrainian individuals and entities.

Winston attorneys are conducting cutting-edge research and analysis of all possible options and are making significant progress as national and multinational legal frameworks evolve.

The Winston team in 2022 included **Maria Kostytska, Spencer Churchill, Mariana Pendás,** and **Dasha Sakhno.**

# Helping NGOs Navigate Life Under Taliban Rule

In the aftermath of the Taliban takeover, Winston attorneys in London and the United States joined forces to provide urgently needed assistance to the NGO community operating in Afghanistan, which had been cut off from the international financial system, donors, and aid recipients.

Drawing upon the firm's extensive experience counseling clients in higher-risk jurisdictions, Winston attorneys helped the NGO community navigate the U.S. sanctions imposed against the Taliban and the Haqqani Network so they could continue providing desperately needed humanitarian aid and also comply with U.S. legal requirements.

Winston has also been instrumental in helping NGOs access funds seized by the Taliban.

The Winston attorneys providing this ongoing support include **Matthew Bate, David Houck, Dainia Jabaji, Mariana Pendás,** and **Cari Stinebower.**



# Giving Back to Our Communities



# Winston Protects a Neglected Child From an Unsafe and Unsanitary Home

Winston attorneys helped ensure that a neglected and abused child was able to remain in foster care where he has flourished and improved academically.

In January 2019, when our client was nine years old, his diabetic and bedridden mother became unresponsive and was transported to the hospital, where she died soon afterward. The Henderson County (North Carolina) Sheriff's Department, which responded to the medical call for his mother, noticed obvious signs of neglect as well as shockingly unsanitary conditions in the home.

Responding officers noted that the scene was "something out of a horror movie." The officers contacted the Henderson County Department of Social Services (HCDSS), which conducted a site visit and filed a petition alleging neglect of our client. Following the visit from HCDSS, our client's father was arrested for felony domestic neglect of a disabled or elder person and misdemeanor child abuse.

HCDSS was granted custody of our client and he was placed in foster care, where he went from being chronically absent from school and performing below grade level to being on the honor roll with perfect attendance. During the next two years, our client's father tested positive for methamphetamines, failed to take a parenting

class, did not make proper efforts to secure employment, did not pay child support, and failed to respond to numerous HCDSS requests to conduct a home study.

Consequently, the district court terminated the father's parental rights in February 2021 on the grounds that the father had failed to make adequate progress towards remedying the circumstances leading to the prior neglect.

The father appealed the court's decision and Winston attorneys prevailed before the Supreme Court of North Carolina in upholding the district court's determination to terminate the father's parental rights. The North Carolina Supreme Court agreed with all of the points from Winston's briefing and held that the district court's ruling was supported by clear and convincing evidence.

"This decision allows our client to put this horrific phase behind him and makes him eligible for adoption by his current foster family," said Charlotte associate Kevin Zhao.

The Winston team that worked on this matter included **Jack Cobb** and **Kevin Zhao**.

# Helping a Nonprofit Recover Stolen Funds

**Winston attorneys helped a local nonprofit that assists low-income individuals become homeowners to recoup vital funds that a self-dealing employee had siphoned off.**

In 2015, our client hired a project manager who had the authority to hire and pay contractors and vendors as well as search for, negotiate, and buy real estate on the organization's behalf to be developed or rehabilitated and then resold. The employee abused his authority and used his position at the nonprofit to unjustly enrich himself through two illicit schemes.

In the first scheme, the employee secretly created companies that purportedly provided landscaping and contracting services. He then hired those companies—without competitive bidding—and created invoices from those companies, which he paid using the nonprofit's funds, for services that were never rendered or were significantly marked up.

In the second scheme, he worked with an affiliated company to identify vacant land that would be attractive to the nonprofit for development purposes. The affiliate purchased the land, and the employee then purchased it on behalf of the nonprofit at a significant markup. In one instance, the affiliate purchased property for \$25,000 and

five days later the employee directed the nonprofit to purchase it from his affiliated company for \$115,000.

The nonprofit detected the fraud after a change in management, and the employee resigned when confronted. Winston attorneys worked with the new management team and the board of directors to conduct witness interviews of current and former staff. Ultimately, the nonprofit filed suit against the former employee and his related companies for breach of fiduciary duty and fraud.

The case was settled after a daylong mediation, with the nonprofit recovering 100% of the damages arising from the real estate scheme and a significant amount of the money lost through the invoicing scheme.

"The Winston team gave us superb guidance and counsel and helped us unload an anchor on our operations and rally our spirits," said the president and CEO of the nonprofit.

Winston attorneys **Elisa Baca** and **Jared Kessler** and recovered the stolen funds for our client.

## WHY PRO BONO MATTERS TO ME ...



“Pro bono service has been incredibly rewarding on a personal level, allowing me to seek out work that I know has a positive moral impact in the world.”

**MASAE ELLIS, PARTNER, DALLAS OFFICE**

# Disabled Tenant Wins Contempt Finding and Damages Against an Unscrupulous Landlord Who Ignored Rat Infestation

Winston attorneys helped a disabled tenant force her landlord to provide a safe and sanitary apartment and pay her \$10,000 in damages.

Our client was displaced from her home due to a severe rat infestation that her landlord ignored despite numerous pleas to remediate the situation. In addition, the landlord turned off her electricity and heat, and refused to maintain her apartment as required by law.

The Winston team filed a petition in Kings County Housing Court in New York for an order against the landlord to repair the apartment and cease his harassment of our client. When the landlord failed to appear at the hearing in January 2022, the court issued a default order requiring him to carry out a number of repairs to the apartment, including turning on the electricity and heat and abating the rat infestation.

After turning on the electricity and heat, the landlord filed a motion to vacate the court's default ruling. The Winston team opposed the motion to vacate and won. Nevertheless, the landlord refused to abate the rat infestation.

The Winston team responded by filing a motion for contempt, and after months of delay caused by the landlord's legal strategy, the court found for our client and fined the landlord. The Winston team then negotiated a settlement, which awarded our client \$10,000 in damages and \$1,400 to reimburse her for an exterminator. The landlord also agreed to stop harassing our client.

"The Winston team's relentless and zealous advocacy on behalf of our client resulted in her landlord being held accountable for neglecting his obligations," said New York partner David Greenspan.

The Winston attorneys who negotiated this life-changing settlement for our client included **Daimiris Garcia, David Greenspan, Conrad Noronha, and Nicholas Perez.**

# New York Residents Buried in Debt Gain a Fresh Start

Through a pro bono initiative championed and led by members of the firm's restructuring practice, Winston attorneys have helped nearly 100 clients in New York State navigate the daunting process of filing for bankruptcy.

In partnership with the **City Bar Justice Center**, Winston attorneys help clients complete the necessary paperwork and gain the confidence to pursue a pro se bankruptcy filing. Many of the clients Winston has assisted through Fresh Start Clinics have been buried under mountains of burdensome debt related to military service, the death of a family member, divorce, loss of a job, or a medical emergency. Our Fresh Start clients are extremely grateful for the opportunity to reset their lives with a clean financial slate.

The Winston attorneys who have helped New Yorkers gain a fresh start in 2022 include **James Bentley, Laurel Berkowitz, Emma Fleming, Carrie Hardman, John Kalyvas, Allie Kushner, David Neier, Kenneth Perkins, Yasaman Rahmani-Givi, Brittni Reaser, Carey Schreiber, and Dan Shapiro.**

## WHY PRO BONO MATTERS TO ME ...



“It’s been tremendously personally rewarding to see some of the 501(c)(3) organizations that I worked to form as a junior associate still thriving over a decade later.”

**JEFFREY DOBOSH, PARTNER, CHICAGO OFFICE**



# Pro Bono Team



**GREGORY McCONNELL**  
SENIOR PRO BONO COUNSEL



**JULIE BAUER**  
COUNSEL—PRO BONO  
LITIGATION AND CEASE  
INITIATIVE



**KEN BERRY**  
PRO BONO AND  
CORPORATE SOCIAL  
RESPONSIBILITY  
SPECIALIST



**RUBI CONCHAS LOPEZ**  
PRO BONO COORDINATOR



**MARIA KUTNICK**  
PRO BONO COUNSEL



**PETER MacCARTHY**  
PRO BONO ASSISTANT



**TARA MOSS**  
PRO BONO COUNSEL



**NAREENEH SOHBATIAN**  
IMMIGRATION PRO BONO  
MANAGING ATTORNEY



**CHRISTINA VARGAS**  
ADMINISTRATIVE  
ASSISTANT

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## ABOUT WINSTON & STRAWN

Winston & Strawn LLP is an international law firm with 900+ attorneys across 16 offices in Brussels, Charlotte, Chicago, Dallas, Hong Kong, Houston, London, Los Angeles, Miami, New York, Paris, San Francisco, Shanghai, São Paulo, Silicon Valley, and Washington, D.C. Additionally, the firm has significant resources devoted to clients and matters in Africa, the Middle East, and Latin America. The exceptional depth and geographic reach of our resources enable Winston & Strawn to manage virtually every type of business-related legal issue. We serve the needs of enterprises of all types and sizes, in both the private and the public sector. We understand that clients are looking for value beyond just legal talent. With this in mind, we work hard to understand the level of involvement our clients want from us. We take time to learn about our clients' organizations and their business objectives. And, we place significant emphasis on technology and teamwork in an effort to respond quickly and effectively to our clients' needs.

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