Team Sets Precedent for Autistic Boy and Service Dog to Attend School

In a matter of first impression, Los Angeles Associate Drew Robertson, supervised by partner John Gibson, secured a temporary injunction that allowed our client Caleb, a six-year-old child with severe autism, to bring his service dog, a golden retriever named Eddy, to school. The Cypress School District in Orange County had refused Caleb permission to use Eddy’s services in school. Robertson successfully argued at the injunction hearing in federal district court that Eddy has a calming influence on Caleb, which minimizes behavioral problems, and that keeping Caleb and the dog apart would violate the Americans with Disabilities Act.

After the court required that our clients secure a bond in the amount of $100,000, Gibson was able to reduce that to $5,000 by emphasizing that the burden on the school was not significant because it bore no hard costs and need only train certain personnel how to manage the relationship with Eddy and Caleb. Caleb’s parents had raised $14,000 through various fundraisers to purchase Eddy because they did not have the means to purchase Eddy on their own.
FROM THE CHAIR
Reflections on the Role of Pro Bono Work at Winston & Strawn

Kimball Anderson
This marks my 27th year as Chair of the firm’s Pro Bono Committee. Yes, I am the poster child for term limits. Once again, however, I have vanquished the many wannabes who cherish this powerful management position. And, once again, I have the privilege of reporting to you about our firm’s annual pro bono accomplishments. Without further fuss, here are some highlights.

Winston & Strawn launched two initiatives designed to strengthen our pro bono efforts and increase overall participation. One initiative is the new Public Interest Fellowship Program. Through the fellowship program, incoming associates, beginning with the 2011 associate class, who choose to participate will receive a stipend to work at local public interest law organizations during the period following graduation and prior to their official start date at the firm. The fellowship program should provide additional training and also increase the firm’s pro bono hours.

The second initiative is the new “Pro Bono Dashboard.” The Dashboard provides easy access to all personnel regarding pro bono productivity. Individual attorneys are able to access their own hours and aggregate information regarding office/practice group/rank achievement of productivity metrics (like average/hours attorney and 20-hour percentage). Through the Dashboard all members of the firm will understand the extent of their personal contributions to the firm’s goals.

While it is too early for these initiatives to have a measurable impact, our productivity thus far in CY 2012 nonetheless remains high relative to prior years. One initiative is the new Public Interest Fellowship Program. Through the fellowship program, incoming associates, beginning with the 2011 associate class, who choose to participate will receive a stipend to work at local public interest law organizations during the period following graduation and prior to their official start date at the firm. The fellowship program should provide additional training and also increase the firm’s pro bono hours.

AWARDS AND HONORS

Most Innovative Use of Technology for a Pro Bono Project
The firm’s IS department received the “Most Innovative Use of Technology For a Pro Bono Project” award from the Legal Technology News (LTN), an American Lawyer Media publication, for developing InnocenceRecord.org, a Web site and on-line repository of the court cases involving nearly 300 DNA exonerees (see full description in above article). LTN highlighted the extraordinary efforts of Cheryl Garrett, Oz Ortiz, Brian Cis, Dave Siarny, Michi Goto, Joe Crowley, and Bob Silaj.

Anti-Defamation League First Amendment Freedom Award
Firm Chairman Dan Webb and Chairman Emeritus Joe Crowley were honored by the Anti-Defamation League for their commitment to the public interest in their contributions during their service in the U.S. Attorney’s Office in Chicago.

Impact Litigation Volunteer of the Year
Public Counsel honored Jason Hamilton as the Impact Litigation Volunteer of the Year at its annual Volunteer Gala. He was recognized for his work launching the new “impact litigation” project at Public Counsel and developing its casework during the first year of the project.

“Moxie Award” for Support of Victims of Sexual Assault
Associates Nisha Verma and Brian Nisbet received the Illinois Coalition Against Sexual Assault’s (ICASA) “Moxie Award” for helping to ensure that victims of sexual assault receive the support and assistance they deserve.

About the Pro Bono Reporter
Content for the Reporter was prepared by Greg McConnell, Pro Bono Counsel. Nicole Pérez, in Graphic Resources, designed the layout, design and production. Please contact Greg (gmcconnell@winston.com) or Nicole (nperez@winston.com) if you would like additional copies of the Reporter, or have questions about the information presented.
PUBLIC INTEREST / LEADERSHIP

Lawyers Alliance of New York
New York corporate partner Glynna Christian joined the board of the Lawyers Alliance of New York (LANY), the largest pro bono organization in the country serving exclusively nonprofit clients. She replaces partner Susan Berkowitz who served on the LANY board for the past six years.

The Chicago Volunteer Legal Services Foundation
Chicago corporate partner Arnie Gough and corporate associate Greg Hawver joined CVLS’s board and associate board, respectively. CVLS is the largest provider of pro bono services in Chicago, providing legal assistance to low income persons in high demand areas such as family, consumer, and bankruptcy.

OneJustice (San Francisco)
San Francisco partner Krista Enns joins the Board of OneJustice, an organization that promotes public interest legal work throughout California.

Tahirih (Houston)
Houston litigation of counsel Georgianna Braden joined the advisory board of Tahirih Justice Center (Houston), an organization that works to protect immigrant women and girls seeking justice in the United States from gender-based violence.

Mississippi Justice Center
Partner Doressia Hutton, a Mississippi native, accepted a position on the board of the Mississippi Justice Center. The Center provides much needed legal assistance to low income residents of Mississippi through the use of national and local pro bono attorneys.

Disability Rights Law Center (L.A.)
Los Angeles of counsel Anthony Borrego succeeded Anna Masters on the board of the Disability Rights Law Center, a prominent advocate for the disabled in Southern California.

The National Law Center on Homelessness and Poverty
Washington, D.C. environmental associate Linda Leibfarth agreed to join the associate board of the National Law Center on Homelessness and Poverty, whose mission is to prevent and end homelessness by serving as the legal arm of the nationwide movement to end homelessness.

John Howard Association (Chicago)
Chicago trusts and estates associate Gina Oderda joined the associate board of the John Howard Association, an organization that monitors prisoner conditions in the Illinois correctional system.

PROJECTS IN ACTION

FAMILY LAW PROJECT
Greg Jacob and Mary Lenahan Protect Abused Mother and Daughters in Custody Battle
Labor partner Greg Jacob and associate Mary Lenahan secured a successful outcome for our client, the mother of two daughters (ages nine and 11), who was the victim of rape and domestic abuse, and was in a custody battle with the perpetrator and father of the two girls. The father, who has not seen the girls since 2007, was seeking full custody on the basis that our client suffered from Munchausen by Proxy Syndrome, which involves a sustained effort to implant memories of abuse.

Houston Team Wins Favorable Result for Client in Contested Divorce
A Houston team including associates Melinda Lackey, Ashley Dickey, and Trey Mahoney, supervised by John Keville, with support from paralegals Beverly Sealeas and Lewis Smith, secured a favorable settlement for a client who was involved in a contested common law divorce. The defendant in a child’s head accompanied by deliberately harming the child to manufacture an apparent picture of abuse. At trial the team was able to preserve the mother’s custody, keep the existing no-contact order in place for four months, and condition the father’s participation in therapy before any visitation will be permitted.

Team Defends Two Families Wrongly Accused of Child Abuse
A team of attorneys including associates Mike Jess, Jason Burke, Chaitanya Maddali, and Joanna Wade, under the supervision of partner Julie Bauer, secured success for two families that sued the Illinois Department of Children and Family Services (DCFS) for wrongly removing their children from their homes after they were wrongly accused of child abuse.

In one case the team secured a $35,000 settlement for a family that was accused of abuse after their child took a tumble while learning to walk and hit her head on a coffee table. Initially, child welfare investigators and local police officers visited the home and found the child safe and well-cared for. Days later, however, DCFS social workers took the child from her parents for several hours. The parents alleged that the social workers illegally threatened them with the continued custody of their daughter and placement in a shelter unless they signed a safety plan restricting their custodial rights.

In the second case, we represent a second set of parents whose child was removed from the home under similar circumstances as the first case. After the district court dismissed the claims on summary judgment, we successfully appealed the ruling to the Seventh Circuit, setting favorable standards for when DCFS may remove children from their parents’ custody. Mike Jess argued the matter before the Seventh Circuit.

Chaitanya Maddali (Chicago Litigation, Class of 2007), who passed away in December 2010, was honored by the Family Defense Center post-humously for his commitment to the team. The team and the firm will suffer the loss of Chaitanya’s commitment, energy, and intelligence.
ultimately admitted that the couple were married and conceded that he misappropriated community funds. Our client agreed to waive his claim to his payments, but also agreed to repay her $2,000 in past rent payments.

**Chicage Office Takes Lead Role in New Domestic Violence Project**

In response to the tremendous volume of pro se litigants appearing in Cook County Domestic Violence Court, the chief judge of the division developed a pilot project designed to involve law firms in representing persons seeking protective orders against their abusers. Under the guidance of associate Christie Bolsen, nearly 30 Chicage associates have participated in the project. Attorneys meet with prospective clients at the courthouse, then represent the clients during a hearing to secure the temporary protective order. Thereafter, the attorneys represent clients pursing permanent orders during the plenary hearing. Participating, associates include: Julie Amajoyu, John Arendshorst, Mike Bergerson, Niki Bhargava, Christie Bolsen, Meagan Burnett, Averi Edwards, Matt Flaherty, Laura Greenspan, Tori Langton, Jennifer Maurer, Michelle Miner, Ron Raffensperger, Gina Rozman, Scott Sakiyama, Stephanie Seber, Quinn Sheen, Andrew Sullivan, Shawn Taylor, Elizabeth Thompson, Nisha Verma, Joel Wallace, Kevin Wolf, and Andrew Yahkind.

**POVERTY LAW PROJECT**

San Francisco Office Assists Tenants Facing Eviction

Associates in the firm’s San Francisco Office, assisted by Beth Deady, organized regular participation in the Housing Negotiation Project, through which attorneys represent tenants facing eviction at court-mandated settlement conferences. Sponsored by the Bar Association of San Francisco’s Volunteer Legal Services Program, this project provides limited scope representation to individuals and families facing eviction during the settlement process. Associates participating include Laura Carter, Emily Garcia, Noelle Formosa, Nisha Patel, and Deepi Punia.

**Chicage Associate Scott Sakiyama Wins First Jury Trial in New Municipal Court Project**

Chicage associate Scott Sakiyama won the first jury trial in the new Municipal District Court Pro Bono Program. This program, which is a partnership between the court and various Chicage public interest law groups, is designed to provide representation to pro se litigants in need of trial counsel and provide opportunities for attorneys to gain trial and other litigation skills. Winchester & Strawn was one of four firms invited to participate in the pilot phase of the program. Sakiyama was appointed to represent an individual in a civil lawsuit that had been ongoing for approximately three years. At the conclusion of a completed jury trial, and after an hour of deliberations, the jury returned a unanimous verdict in favor of our client, awarding him 100 percent of the claimed damages.

**Attorneys Continue to Secure Benefits for Holocaust Survivors**

Attorneys in various offices continue to represent survivors of the Holocaust in their efforts to secure benefits from two reparations funds made available by the German government: the German Ghetto Workers Payment Plan (GGWP) and the ZRBG pension plan. To establish eligibility for a one-time lump-sum payment under the GGWP, claimants must show that they were interned at a ghetto during WWIl, and provided “voluntary” labor for which they were not compensated. The ZRBG pension offers a more lucrative life-time pension for persons providing forced labor in German ghettos. Our team has seen continuing resuits. Among others, Los Angeles associate Bill Shafter secured a ZRBG pension award for a client of approximately 38,000 Euros in payment arrears and a monthly benefit of 455 Euros. New York senior business development manager Doug Lancot secured a similar award with 34,000 Euro arrearage payments and a monthly pension of 455 Euros.

**INMATE CIVIL RIGHTS PROJECT**

San Francisco Attorneys Set New Standard for Appointment of Experts

San Francisco associate Nick Short, supervised by Dean Morris, supported by Marcus Hidalg0, achieved a significant victory for pro se litigants. The team accepted an appointment to represent an inmate suffering from serious kidney diseases, who alleges that prison health care providers were deliberately indifferent to his condition. The magistrate had granted summary judgment on the basis that our client failed to submit the necessary expert report, even though the prosecution had opposed his efforts to secure such testimony. The district court agreed with our team’s arguments that the court had violated our client’s procedural due process rights when it denied his request for a neutral, court-appointed expert. Significantly, the 14-page published Order also articulated standards judges should use when pro se plaintiffs are seeking the appointment of an expert to pro vice an essential element of their case.

**Firm Creates New Fellowship Program**

In July, the firm announced the creation of the new Winston & Strawn LLP Fellowship Program. Through the fellowship program, incoming associates, beginning with the 2011 associate class, who choose to participate will receive a stipend to work at local public interest law organizations during the period following graduation and prior to their official start date at the firm. The program is completely voluntary. Those participating agree to work a minimum of 35 hours/week and for a period ranging from four to eight weeks. Those participating will receive a stipend to work at local public interest law organizations during the period following graduation and prior to their official start date at the firm. Those participating agree to work a minimum of 35 hours/week and for a period ranging from four to eight weeks. Those participating will receive a stipend to work at local public interest law organizations during the period following graduation and prior to their official start date at the firm. Those participating agree to work a minimum of 35 hours/week and for a period ranging from four to eight weeks.
each of his three prior lawsuits at least one claim had been dismissed for failure to state a claim — although other claims had been permitted to go forward. On appeal, the Seventh Circuit agreed with the team’s argument that the dismissal of various claims in our client’s prior lawsuits should not count as “strikes” against him because each of those suits included claims that proceeded to a decision on the merits.

Washington Team Clarifies Exhaustion Includes Compliance with the Prison’s Own Regulations

A team led by partner Gene Schaerr and including associates Eric Goldeinstein and Chris Bruno, secured a reversal for an elderly prisoner pursuing claims he was denied proper medical care. At the prison’s urging, the district court held that the inmate had not satisfied the exhaustion requirement for asserting such a claim in federal court because, in compliance with prison regulations, he had filed suit even though another avenue for redress within the prison was still theoretically open to him. The Sixth Circuit reversed that decision, holding that compliance with the regulations was sufficient to establish exhaustion, and therefore that the suit was proper.

Chicago Team Closes Down Grievance Form Trap

Partner Imron Aly, with assistance from associates Lisa Lukaszewski and Adam Heer and senior paralegal Amy Nelson, secured a favorable decision in the Seventh Circuit for an inmate client, an adherent of the African Hebrew Israelite (AHI) religion. The decision will have broader implications for unwary pro se litigants in litigation against the Illinois Department of Corrections. Citing budget cuts, prison officials cancelled even the limited services that they allowed AHI adherents. Prison officials reviewed and rejected the grievance our client filed claiming that his religion was unreasonably singled out. When our client later filed a Section 1983 lawsuit against the prison officials, however, the court granted summary judgment on a procedural defect: that he did not name on the grievance form the people responsible for the cancellation. The Seventh Circuit reversed, agreeing with our arguments that the standard grievance form never asked for name and the defendants never indicated there was a problem with the grievance form.

Reversal Preserves Defenses for Field Museum in Fight to Protect Antiquities

A Winston team secured a significant decision involving the Foreign Sovereign Immunities Act (FSIA) that benefits not only our client the Field Museum of Natural History, but also other museums and cultural institutions defending forfeiture of exhibits possibly owned by foreign governments. The team includes partners Sue Benton, George Lombardi, Kevin Banaski, and Mike Brody, as well as associates Bill Ferranti (who argued the appeal).

The appeal arose out of attachment proceedings in which victims of a 1997 terrorist bombing in Jerusalem sought to seize Persian antiquities held by the Field Museum and the University of Chicago’s Oriental Institute. The plaintiffs won a $71 million default judgment against the Islamic Republic of Iran (based on Iran’s training and funding of Hamas, which carried out the bombing). The plaintiffs then brought that judgment to Chicago to pursue artifacts in the Museum’s collections which, they contended, belong to Iran and are subject to attachment. The artifacts at issue include prehistoric pottery, tablets, and other items, some of which are of great historical and cultural significance to Iran.

The district court rejected the Museums’ arguments that the artifacts are immune from attachment, holding that FSIA immunity is an “affirmative defense” that must be invoked by Iran personally. The Seventh Circuit reversed, which will allow the Field Museum to argue not only that it is the true and rightful owner of the artifacts in its collection, but also that, even if owned by Iran, the artifacts are immune from attachment.

New York Team Goes to Jury on Sikh Inmate’s Claims of Religious Discrimination

A team of New York office attorneys represented a former inmate and devout religious Sikh in connection with his Section 1983 action against certain employees of the New York State Department of Correctional Services. The team included associates Lauren Cuneo, Tom Gardner, Stephanie Adams and Crystal Johnson, assisted by paralegals Victor Barnett and April Jenkins, and supervised by partner Luke Connelly. Our client alleges that the officers violated his right to certain practices fundamental to his religious beliefs such as the wearing of a Kacchera, a sacred undergarment, and the respectful handling of holy scriptures. He also alleges he suffered injuries as a result of excessive force when removed from his cell. After a four-day trial in the Southern District of New York, the jury found for the defendant and our client’s claims were dismissed. Associates Ken O’Reilly and Rachel Kaufman are leading his pending appeal before the United States Court of Appeals for the Second Circuit.

San Francisco Team Secures Settlement for Inmate Assaulted by Correctional Officers

A team of San Francisco office attorneys consisting of associates Yelitza Dunham, Scotia Hicks, and Craig Crockett, supervised by Scott DeVries, represented an inmate who alleged that after he was assaulted by two officers after he was arrested and despite his injuries was not examined by medical personnel until seven days later. After successfully reopening discovery, our team propounded discovery, took and engaged an excessive force expert. Expecting the case to go to trial, our team drafted motions in limine, a pretrial statement, and jury instructions. The team was able to move the defendants from a settlement offer of $1,000 made during a court-mandated settlement conference to $7,500.

ASYLUM PROJECT

Georgianna Braden Secures Asylum for Malian Victim of FGM

Houston of counsel Georgianna Braden won asylum for a student from Mali, where the population regularly and actively engages in female genital mutilation (FGM) and forced marriages. Our client was forced to undergo FGM as a teenager per the custom in her village. After the FGM was completed, she was then forced to marry a significantly older man who had no other women. The husband publicly raped our client in order to prove that the marriage had been consummated. When the elderly husband died she was forced to marry her husband’s brother. However, she escaped to the United States to attend school. Shortly after arriving in the United States, our client discovered she was pregnant but later lost the baby. She sought asylum after her parents blamed a poorly administered FGM procedure for the baby’s death and demanded that she return immediately to Mali so that she could undergo additional FGM.

Matt Lenham and Katherine Liao Win Asylum for 65-Year-Old Sudanese Activist

Los Angeles associates Matt Lenham and Katherine Liao won asylum for our client, a 65-year old Sudanese woman who has been living with her husband in exile in Saudi Arabia for decades due to her husband’s anti-government political activities in Sudan. Our client was targeted by the Sudanese government in 1999, when her son was kidnapped by the Sudanese army and she had an altercation with several members of the Sudan Security Forces. She was burnt with hot metal and threatened with further harm by security forces members, escaping back to Saudi Arabia with her son only after paying bribes to obtain an exit visa. She was placed on a government “black list” of political enemies, who are targeted for detention, torture, or worse.
Joel Wallace Wins Asylum for Member of High Profile Dissident Belarus Theatre Group

Chicago associate Joel Wallace secured asylum for one of the members of the Belarus Free Theatre (“BFT”), a theatre troupe established in the spring of 2005 to use performance art to influence democratic changes in the dictatorial regime of Belarusian President Alexander Lukashenko. Almost from its inception the BFT has been considered an opposition organization. By September 2005, only six months after its inception, all of BFT’s activities were banned by government authorities. Our client was one of several BFT members arrested in December 2010 for their participation in a mass demonstration of Belarusians defending their vote in presidential elections held that day. Belarus KGB special forces later detained our client and other protestors for 18 hours, while they stood facing a wall with their hands behind their backs, deprived of water, food, and the use of a toilet. The next day, authorities issued an arrest warrant for our client with a belt, and locked her in her room for days without food or water. He continually threatened her with death and, when she was 15-years-old, ordered her to subject herself to female genital mutilation. Our client later became pregnant at the age of 17 and hid her pregnancy under her garments until her mother helped her to escape to the United States out of fear that she would become a victim of an honor killing.

Rhonda Love and Katy Noeth Secure Asylum for Unwed Teen Mother from Saudi Arabia

Washington, D.C. associates Rhonda Love and Katy Noeth won asylum for a teen mother from Saudi Arabia who was subjected to beatings and FGM, and was nearly killed after becoming pregnant out of wedlock. Our client was physically abused by her father, a devout and conservative Muslim. When her father found out that she was dating a Saudi boy, he bit, strangled, and beat our client with a belt, and locked her in her room for days without food or water. He continually threatened her with death and, when she was 15-years-old, ordered her to subject herself to female genital mutilation. Our client later became pregnant at the age of 17 and hid her pregnancy under her garments until her mother helped her to escape to the United States out of fear that she would become a victim of an honor killing.

CRIMINAL DEFENSE PROJECT

Team Secures Favorable Plea Deal for Client Facing 30-Year Sentence

A team consisting of partner Scott Szala, associates Kevin McCormick, Jared Hasten, Scott Sakiyama, and paralegal Ken Berry was appointed to represent a criminal defendant who was charged with Class X and Class I felonies. The charges stemmed from accusations that he broke into the victim’s residence and attempted to assault her - allegations our client strenuously denied. The team convinced the court to reopen a Rule 402 conference that had been previously conducted by the client’s former counsel in an attempt to negotiate a lesser sentence in exchange for a plea of guilty. The court indicated that based on compelling arguments made by the team and the State’s agreement, he would reduce his previous recommendation for a sentence to 15 years to be served at 50 percent “good time.”

Joel Wallace

Calvin Koo Secures Asylum for Former Member of Parliament in the Gambia

At a hearing before an immigration judge, New York associate Calvin Koo won asylum for our client, a member of the Gambian parliament who fled Gambia after he was (wrongfully) accused of participation in an alleged coup attempt against the Gambian president. The regime used this alleged coup as a pretext to arrest, torture, and murder political enemies. The government had placed our client on a “blacklist” even though he had no knowledge of and did not participate in the coup but because, as a parliamentarian, he had promoted policies which angered the president. Our client ultimately fled the country after his arrest and interrogation by the feared National Intelligence Agency and after he received multiple warnings from government agents, friends, and family.

Rhonda Love

Andrew Nichols Secures Retrial Based on Improper Admission of Snitch’s Hearsay

Washington, D.C. associate Andrew Nichols secured a victory in the Seventh Circuit that overturned the 240-year sentence of a Gary man convicted in 2004 of a quadruple homicide and robbery. The appeals court found that the trial court erred when a police tipster’s hearsay statement was treated as evidence, noting that our client “suffered repeated violations of his Sixth Amendment right,” to confront his accuser, the source of “two layers of hearsay.” Partners Steffen Johnson and Tom Kirsch supervised.

Andrew Nichols

Pro Bono by the Numbers

55 Average pro bono hours per attorney during 2010

48 Percent of attorneys who provided at least 20 pro bono hours during 2010

62 The firm’s 2011 goal for percentage attorneys who provide at least 20 pro bono hours

1988 The year the firm opened a matter for the Archdiocesan Legal Network intake clinic (Washington, D.C.), the longest continuously engaged pro bono activity at the firm.
Christine

San Francisco Attorneys Assist Martin–Lyons Housing Services Agency Keep Its Doors Open

A team of attorneys including Dan Hardin, Christine Hoefliger, Marion Goldberg, Jocelyn Wang, and Nisha Patel, under the supervision of Jim Timponka, is providing governance and related assistance to the Martin-Lyon Housing Services during a period of dramatic upheaval. Although the clinic accepts all members of the public as patients, Lyon-Martin was founded in 1979 as a clinic for lesbian women who otherwise lacked nonjudgmental health care. It later expanded its mission to provide health care to transgender individuals. In January 2011, Lyon-Martin’s board of directors voted to shut down the health center, but supporters raised more than $500,000 within a matter of months while the clinic’s staff worked internally to stabilize operations, cut expenses, and find additional revenue sources for the clinic. The clinic re-opened for operations in September 2011.

Los Angeles Attorneys Assist Homeless Transitional Center

A team of Los Angeles attorneys, including partner Warren Loui, and associates Greg Martin, Liz Kwon and Kate Leonard, have provided corporate and governance assistance to the Weingart Center Association, a nonprofit based in the Skid Row area of Los Angeles focused on transitioning persons out of homelessness (“WCA”), and its affiliated entity, the Weingart Development Corporation (“WDC”). Among other matters, WDC has developed several business activities designed to provide employment opportunities for its participants in a controlled environment. The team is advising WCA on the establishment of the new businesses, including the funding of government grants and maintaining the businesses under the auspices of a separate entity part by observing necessary corporate formalities and practices. They also assisted WCA with negotiating a forgivable loan that will be used for the purposes of constructing a new facility. Finally, Tax partner Chuck Moll and associate Jocelyn Wang have assisted with property tax issues stemming from the leasing of a health care facility WCA developed in Skid Row.

Tim Kincaid Provides Governance Assistance to Chicago Black Inventors Organization

Corporate associate Tim Kincaid provided invaluable corporate governance and structure assistance to the Chicago Black Inventors Organization (CBIO), an organization that holds monthly sessions to help minority investors in underserved communities navigate the process to obtain patent and trademark protection for their inventions and businesses. A relatively new organization, CBIO was outgrowing its initial legal structure and needed legal guidance through the coming changes. With Kincaid’s guidance, CBIO was able to update its bylaws, change its name, and expand the number of directors from eight to 13 thereby recruiting new talent for the organization. CBIO expanded from just a few members in Chicago to members spread across 26 states, many of whom are now calling for the organization to establish satellite chapters across the country.

Charlotte Team Assists Design Group to Create Farmers’ Market in Rural Community

A team of Charlotte attorneys including associates Jason Bennett and Thomas Cooper, and partner Dean Warren, provided corporate and contract assistance to long-time pro bono client Project H Design during the development of a 2,000-square-foot farmers’ market pavilion for the Town of Windsor located in rural Bertie County. The pavilion was created in a design class Project H organized as part of a grant it received to teach at a local high school. The high school students researched, prototyped, and designed the structure (earning college and high school credits). Together, the students and Project H leadership laid out the site, dug holes for the foundation, and poured concrete. The completed market hosted 15 vendors and hundreds of local farmers and residents who came out in droves for their weekly fix of fresh produce. Washington, D.C. associate Todd Conley provided significant assistance finalizing the contracts with the town and county.

EMPLOYEE BENEFITS

Employee Benefits Attorneys Assist Nonprofits Update Their Retirement Plans

Recent changes to IRS guidelines and ERISA regulations have prompted requests for necessary plan document reviews by the firm’s employee benefits lawyers. One such client is Interaction, the largest alliance of U.S.-based international nongovernmental organizations (NGOs), with more than 190 members working in every developing country. Chicago associates Matt Wright and Steve Flores, under the supervision of Mark Weisberg, are reviewing and updating Interaction’s 401(a) retirement plan to bring the plan into compliance with IRS regulations. As part of the review, they are working closely with the client to revise the formal plan documents and will submit the revised plan and its amendments to the IRS for its approval through the Voluntary Correction Program and the determination letter application process.

Wright and Flores, under the supervision of Mike Melbinger, also provided assistance to Thrive, a not-for-profit, social service and mental health agency. The team structures and implemented correction methods to bring Thrive’s 403(b) retirement plan compliance with ERISA’s plan contribution timing rules and correct its operational failures.

EMPLOYMENT

Ngo-Bonnici Counsels Grassroots Organization Advocating for Children of Color

Los Angeles associate Monique Ngo-Bonnici advised CADRE, a community-based organization in South Los Angeles that is led by African American and Latino parents and caregivers whose children attend local schools in the Los Angeles Unified School District. CADRE works for systemic change by supporting parents as the leaders in stopping the push out crisis in schools serving low-income neighborhoods of color.

Shane Blackstone Counsels Nonprofit That Assists in Transitioning the Homeless

Chicago associate Shane Blackstone provided employment advice and counseling to the Cara Program, a Chicago-based nonprofit providing transitional services to the homeless. Among other things, he assisted Cara in resolving discrimination claims asserted by two employees arising out of the termination of their employment. Shane also provided general administrative counsel on a myriad of employment issues, including, for example, employment policies and employee discipline and termination procedures.

Geneva Attorneys Assist Smiling Children Foundation

Geneva attorneys Laurence Burger and Vanessa Alarcon Duvanel assisted the Smiling Children Foundation revise and implement the Foundation’s Code of Conduct and model employment agreements, which were drafted in English and French. Smiling Children is a non-profit organization based in Switzerland and the United Kingdom whose mission is to improve access to education for young girls and to promote the empowerment of women to generate sustainable employment and income in deprived communities and promote social entrepreneurs who generate positive change for women through innovative ideas.

Charlotte Team Advises Local Nonprofits on Various Employment Issues

In collaboration with the North Carolina Center for Nonprofits, the Charlotte office has advised several North Carolina-based nonprofits with various employee and policy situations. The Center refers issues raised by its membership, which is comprised of North Carolina nonprofits seeking resource assistance, including legal help. In the past few months, Woody Lay and Eric Zion assisted the North Carolina Association for the Education of Young Children (Raleigh) and the Hospitality House (Boone, NC).

Shane Blackstone Counsels Nonprofit That Assists in Transitioning the Homeless

Chicago associate Shane Blackstone provided employment advice and counseling to the Cara Program, a Chicago-based nonprofit providing transitional services to the homeless. Among other things, he assisted Cara in resolving discrimination claims asserted by two employees arising out of the termination of their employment. Shane also provided general administrative counsel on a myriad of employment issues, including, for example, employment policies and employee discipline and termination procedures.

Laurence Burger

Geneva attorneys Laurence Burger and Vanessa Alarcon Duvanel assisted the Smiling Children Foundation revise and implement the Foundation’s Code of Conduct and model employment agreements, which were drafted in English and French. Smiling Children is a non-profit organization based in Switzerland and the United Kingdom whose mission is to improve access to education for young girls and to promote the empowerment of women to generate sustainable employment and income in deprived communities and promote social entrepreneurs who generate positive change for women through innovative ideas.
PRO BONO

Julie Bauer and Andrea Briski Secure Purchase of Historic Farnsworth House

The Farnsworth House

Partner Julie Bauer and associate Andrea Briski completed the sale and transfer of the Farnsworth House, an internationally acclaimed house designed by Mies Van der Rohe for Chicago Dr. Edith Farnsworth in the late 1940s, to our client Landmarks Illinois. The Farnsworth House is located outside Plano, Illinois on the banks of the Fox River. In 2003, the second owner of the house decided to sell the house at auction. Landmarks Illinois, the National Trust for Historic Preservation and others raised money to buy the house at auction, so that it would not be dismantled and moved or potentially demolished. National Trust held legal title to the house, but Landmarks Illinois operated it until December 31, 2009, when the operations were assumed by the National Trust. Under the terms of the deal, the National Trust paid off a loan our client took out to purchase the house, and donated a preservation and conservation easement on the property, preserving in perpetuity the house and about 25 acres of surrounding land.

INTELLECTUAL PROPERTY

Nick Jampol Secures Rights of German Shepherd Rescue Organization

Los Angeles associate Nick Jampol, assisted by partners Gail Standish and Peter Perkowski, successfully protected the name and reputation of a Los Angeles animal rescue organization, Westside German Shepherd Rescue of Los Angeles, when it prevailed on its motion for summary judgment in the Central District of California. A disgruntled former volunteer had started to use the Westside name and informed people in the animal rescue community that he had “taken over” Westside and was in charge of the organization. He registered the volunteer organization’s name as his own with the California Secretary of State, and then attempted to have Westside’s mail—including charitable donations sent to Westside—rerouted to his own address. His use of the name was especially harmful since he kept the dogs that he “rescued” from various shelters in cramped, filthy conditions in his RV or in cages stacked in the back of a pickup truck. The court entered a permanent injunction against the defendant and ordered him to pay Westside damages totaling $65,000.

Huu Nguyen Protects Content of Afghan War Journalist’s Blog

New York associate Huu Nguyen assisted a journalist who was embedded with a military unit in Afghanistan develop the necessary policies and tools to protect the content, including text and photographs, he developed about his experiences during that war. Among other things, Nguyen created an independent contractor agreement for journalists and photographers that will be contributing content to the project, a privacy release, Web site terms of use, a privacy policy, and a DMCA policy.

REAL ESTATE AND CONSERVATION

DiBenedetto and Hawkins Aid Effort to Save Park From Development

New York attorneys Joe DiBenedetto and Ted Hawkins represented the Port Washington Parks Conservancy in its fight to save from development the Alvan Petrus Park, the only recreational space within walking distance from Harbor Homes, a subsidized housing complex located in Port Washington, New York. For decades, successive generations of Port Washington residents used and enjoyed the green space. Unfortunately, Alvan Petrus Park was never formally designated as parkland by any government body and the land was technically owned by a private corporation partnered with the local housing authority. Our team represented the Parks Conservancy to combat the partnership’s plan to demolish the Park and build a large development. Through numerous FOIA requests, the Winston team uncovered a host of problems with the development plan. The team also helped rally community support against the development, an effort that eventually gave Harbor Homes residents a political voice in the form of a new civic association. Our team also argued against the development plan when it came before the Port Washington Town Board for approval. The Town Board ultimately voted to deny the partnership’s plan and save the park.

Pro Bono Committee Members

Kimball R. Anderson
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Jennifer N. White
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Jerôme Herbet
Paris
Woody Ley
Charlotte
Ashlea Raymond
Los Angeles
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to the house at auction, so that
it would not be dismantled and
moved or potentially demolished.
National Trust held legal title to
the house, but
Landmarks Illinois operated it until December 31, 2009, when the operations were assumed by the National Trust. Under the terms of the deal, the National Trust paid off a loan our client took out to purchase the house, and donated a preservation and conservation easement on the property, preserving in perpetuity the house and about 25 acres of surrounding land.

A Blanket For Me

Tax associate Mike Mueller and corporate associate Ben Huffman assisted this organization founded by Litigation partner Ethan York that will provide blankets to low-income new mothers that are personal to each child and have such information as the child’s name, birthday, birth weight, and time embroidered around the border of the blanket. Sara Skinner Chubb assisted with intellectual property concerns.

James R. Jordan Foundation International

Barry Hart and Monique Reid assisted the James R. Jordan Foundation International, which is committed to building capacity in developing communities worldwide. Among other activities, the Jordan Foundation is building a full service hospital in Kenya.

Illinois Patriot Education Fund

Oscar David, Sharon Kadas, Emily Mraz, and David Baroni assisted the Illinois Patriot Education Fund, an organization that raises scholarship funds to benefit the spouses and children of Illinois military service men and women who have given their lives or have become disabled while serving our country.

TAX

Assisting Start-Up Nonprofits Secure Tax-Exempt Status

The Tax Group—in partnership with the Corporate Group—has continued its energetic efforts on behalf of numerous prospective not-for-profit corporations seeking federal tax exempt status and state incorporation. Last year we secured tax exempt status for the following organizations:

- A Blanket For Me
Cook County Juvenile Temporary Detention Center Foundation

Francesca Guerrero and Karen Tsai assisted the Cook County Juvenile Temporary Detention Center Foundation. This organization offers financial support to the Juvenile Temporary Detention Center, which provides temporary secure housing for youth from the age of 10 through 16 years, who are awaiting adjudication of their cases by the Juvenile Division of the Cook County Courts.

Andy’s Books for Kids: Sounds Like a Plan!

Amberlee Cook and Dania Becker assisted Andy’s Books for Kids: Sounds Like a Plan!, an organization that promotes child literacy by providing children in underserved areas with access to books they otherwise would not have. The charity was created in honor of the founder’s son, who died in August of 2006 at the age of 22 from a brain tumor.

TRUSTS & ESTATES

Trusts & Estates Team Assists Child of Serviceman Killed on Duty in Afghanistan

Associate Gina Oderda, under the supervision of Mike Moyers, is assisting the son of a deceased U.S. Army serviceman, who was killed while on duty in Afghanistan, secure benefits available to him as his father’s beneficiary for military death benefits and insurance. The son lives with his biological mother whom his father divorced before he later re-married. At issue is the amount available to the son and the amount available to his mother as his custodian.

Firm Launches InnocenceRecord.org – A Searchable Repository of Innocence Files

Culminating more than six years and 24,000 hours of time, the firm launched the Innocence Record.org, the first online, searchable database of court records and other data of the cases of those who have been wrongfully convicted and later exonerated through DNA evidence.

Working in collaboration with the Innocence Project, hundreds of Winston attorneys, IS professionals, summer associates, paralegals, researchers, and staff have devoted thousands of hours scouring the country for every available court record relating to cases in which wrongfully convicted persons were later exonerated by DNA evidence. These documents were then reviewed and abstracted, while the records themselves were digitally scanned and stored electronically in a secure, searchable format. Through Innocence Record.org, for the first time, these case abstracts and records can now be accessed and searched by legal scholars and others. In addition, the factual abstracts from each of these cases can now be compared and contrasted, allowing for sophisticated analyses of patterns and similarities that will provide insight into systemic flaws that cause these injustices to occur.

Partner Dave Koropp has overseen this project since its inception with the assistance of several committed volunteers including paralegal George Dragicevich and former project assistant Melissa Smith (Grisoni). The firm’s IS staff designed and implemented the Web site and the underlying database repository. Cheryl Garrett, Oz Ortiz, Brian Cis, Michi Goto, Joe Crowley, and Bob Silaj led the IS effort.