NAPABA'S

BEST LAWYERS UNDERS HORSTON HO

BY AZIZAH AHMAD

2012 HONOREES REACHING MONUMENTAL HEIGHTS

ONE LAWYER WAS PART OF A HIGH-PROFILE ANTITRUST CASE THAT WAS SELECTED AS ONE OF THE DAILY JOURNAL'S "TOP VERDICTS OF THE YEAR" IN 2011. THE LEGAL TEAM WAS ABLE TO CONVINCE A JURY TO RULE IN THEIR FAVOR, WHICH DROPPED A POTENTIALLY HAZARDOUS CLAIM AMOUNTING TO \$1.7 BILLION TO WHAT THE JURY DECIDED WAS VALUED AT \$3.5 MILLION.

OTHER ATTORNEYS HAVE WON CASES ON BEHALF OF LOW-WAGE NAIL SALON WORKERS. ONE IS THE SECOND ASIAN PACIFIC AMERICAN ELECTED TO THE BENCH IN GEORGIA.

THEY HAVE ALL ACCOMPLISHED FEATS THAT PUT
THEM AHEAD OF THEIR PEERS. THEY ARE COMMUNITY
ORGANIZERS, JUDGES, GOVERNMENT ATTORNEYS,
IN-HOUSE COUNSEL, LAW PROFESSORS, AND
PARTNERS FROM BOTH SMALL AND LARGE FIRMS.
THEY ARE THE NATIONAL ASIAN PACIFIC AMERICAN
BAR ASSOCIATION'S (NAPABA) 2012 CLASS OF "BEST
LAWYERS UNDER 40" (BU40).

APABA, the only national bar association representing the interest of Asian Pacific American (APA)

lawyers, judges, law professors, and law students, honored the 2012 BU40 class during its annual gala, the finale event of the 24th Annual NAPABA Convention, which featured a conversation with U.S. Supreme Court Justice Sonia Sotomayor.

The NAPABA BU40 Award recognizes talented lawyers in the APA community who have achieved prominence and distinction in their respective fields at a relatively young age while also showing a deep commitment to community. This

year over 50 lawyers were nominated for the BU40 Award. Each candidate was carefully evaluated and interviewed by the selection committee. Unlike other similar awards, there is no set amount of awardees each year—the selection process is based solely on the merit of each candidate, making the selection process highly competitive and rigorous.

MOVING MONUMENTS

Diversity in the legal profession is still a concept that has yet to be fully realized. Although many corporations and law firms have shown a commitment to diversity efforts, according to a study by

THE 2012 HONOREES ARE:

HON. AKEMI ARAKAKI,

LA County Superior Court, Central Juvenile District

STEVEN CHOI,

MinKwon Center for Community Action

JAMES DERRY,

Arbitron Inc.

MARITA ETCUBAÑEZ,

Asian American Justice Center

RIO M. GUERRERO,

Guerrero Yee LLP

MARK HANASONO,

LA County Alternate Public Defender

MELISSA S. HO,

Polsinelli Shughart PC

PEGGY L. HO, LPL Financial

LABONI HOQ.

Asian Pacific American Legal Center

BLOSSOM KAN,

MetLife, Inc.

NAHO KOBAYASHI,

McGuireWoods LLP

NICOLE KUBISTA.

Office of the Public Defender, St. Paul, MN

JASON LEUNG,

Ridout & Maybee LLP

EDWARD LEW,

The Walt Disney Company

TIRZAH ABE LOWE,

Knobbe Martens Olson & Bear LLP

SAMUEL S. PARK,

Winston & Strawn LLP

TEENA-ANN SANKOORIKAL,

Cravath, Swaine & Moore LLP

JEANNIE SUK,

Harvard Law School

VINOO VARGHESE,

Varghese & Associates P.C.

HON. CARLA WONG

McMillian, State Court of Fayette County, GA

CALVIN K. WOO,

McElroy, Deutsch, Mulvaney & Carpenter, LLP

the Institute for Inclusion in the Legal Profession (IILP) and the Association of Legal Administrators (ALA), only a small ratio of APA associates are making the conversion to partner. Although APAs make up roughly half of all associates of color, they are less likely than other racial groups to become partners. The ALA and IILP study found that only 11.5 percent of APA lawyers transition from associate to partner, compared to 90 percent of Latino and 81 percent of African American associates.

These low conversion rates are staggering, however not a new discovery in the APA legal community. In 2000 the BU40 Award was created in part to help the best APA lawyers break those barriers and move up in their career paths. As Jim

"NAPABA'S BEST **LAWYERS UNDER 40 AWARD IS ROOTED** IN THE NOTION THAT APA LAWYERS **OFTEN FEEL RETICENT** ABOUT PROMOTING THEMSELVES."

—Jim Goh

Goh, chair of the BU40 Selection Committee. states, "NAPABA's Best Lawyers Under 40 Award is rooted in the notion that APA lawyers often feel reticent about promoting themselves... Over the years, we have heard many accounts of how the award had made a difference in the recipients' careers and professional endeavors. The award is highly sought after, and the nomination process

highly competitive. Nominations go through rigorous scrutiny by the Selection Committee. Those selected enjoy the prestige of an award reserved only for the best of the best." APA lawyers from various fields also face misconceptions about their performance. "Being an APA female, people are sure that you're not capable," says Melissa Ho, shareholder at Polsinelli Shughart in Phoenix, Ariz. Nicole Kubista, a lawyer in the Office of the Public Defender in St. Paul, Minn., echoed Ho's sentiment. "Asian, and in particular Asian women, are stereotyped. We're underestimated and have to fight with the idea of 'you might not be the best candidate for this job," says Kubista. Both Ho and Kubista say they continually have to prove that not only are they capable lawyers, but that they are among the brightest in their fields.

Fortunately, not every APA woman has had the same experiences. Some, like Jeannie Suk, a professor at Harvard School of Law, have had the opportunity to work in settings that allow them to embrace being different. "When I started my law teaching career, many who gave me advice assumed that I would have disadvantages as a woman, a minority, and a young person—a triple whammy—since there were hardly any law professors who were all three. However, I enjoy the reality that my just doing the job I love each day and naturally inhabiting the role of law teacher make those qualities more and more unremarkable. I'm aware of being a novelty in some ways but I truly don't experience that as a burden!"

REACHING COMMUNITY

An essential part of the BU40 Award is service and dedication to the APA community. BU40 honorees are not only stellar lawyers, but have actively demonstrated a responsibility to give back. The 2012 class is no exception—between them this year's honorees have performed hundreds of hours of pro bono and community service.

Working in the community is nothing new for Steven Choi, executive director at the MinKwon Center for Community Action, who has committed his career to serving the APA community. Since law school Choi has had a special interest in serving low-income APAs, by first interning and eventually working as a fellow with the Asian American Legal Defense and Education Fund. At MinKwon Center for Community Action, Choi continues his commitment through organizing, advocacy, legal services, voting engagement, and youth empowerment in Flushing, Queens, N.Y..

Tirzah Abe Lowe, partner at Knobbe Martens, is the immediate past president of the Orange County Asian American Bar Association and past NAPABA Southern California regional governor. Although her clients include Shaquille O'Neal and Oscar de la Hoya, it is her pro bono work with the Tronie Foundation, an organization to combat human trafficking founded by a survivor, that helps set Abe Lowe apart from many of her peers. Abe Lowe connected the Tronie Foundation and founder Rani Hong with NAPABA's anti-human trafficking efforts, resulting in Hong speaking to a sold-out crowd at the NAPABA annual convention. NAPABA helped raise over \$15,000 for the Tronie Foundation during the convention.

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AKEMI ARAKAKI was appointed to the Los Angeles County Superior Court in December of 2010 at the age of 37. She is currently sitting in the Antelope Valley Delinquency Court. Prior to her appointment she served as a deputy public defender for the Los Angeles County

Public Defender's Office. In 2003 she was appointed by Governor Gray Davis to sit on the statewide Commission on Asian and Pacific Islander American Affairs. She also served in 2004 as the president of the Japanese American Bar Association. She earned a Juris Doctorate degree from Loyola Law School and a Bachelor of Arts degree from Wellesley College.



MARITA ETCUBAÑEZ is Director of Programs at the Asian American Justice Center, member of the Asian American Center for Advancing Justice. AAJC's mission is to advance civil and human rights for Asian Americans, and to build and promote a fair and equitable society for all. Etcubañez coordinates the work of AAJC's attorneys and program staff, including collaboration with the

Advancing Justice affiliates.

Etcubañez has over a decade of experience providing legal assistance to low-income individuals, working with the Asian Pacific American Legal Resource Center in Washington, D.C.; Homeless Persons Representation Project in Baltimore, Maryland; and Texas Rural Legal Aid in Plainview, Texas.

Etcubañez received both her undergraduate and law degrees from the University of Michigan.



CHOI is the Executive Director of the MinKwon Center for Community Action, which organizes, educates, and

serves the Korean and Asian communities in New York. Choi was formerly at the Asian American Legal Defense & Education Fund as Director of the Korean Workers Project, the only such effort providing free legal services to low-wage Korean immigrants. He also has experience with the Hale and Dorr Legal Services Center in Boston, Greater Boston Legal Services, and the Asian Pacific American Legal Center of Los Angeles.

Choi received his B.A. from Stanford University in History with Honors and his J.D. from Harvard Law School. He has received awards such as the Korean American Association's "Man of the Year" Award, the Wasserstein Fellowship, the Skadden Fellowship, and the Harvard Law School Asian Pacific American Alumni Award.



JAMES
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tional media and marketing research firm. He is responsible for complex licensing, privacy, data security, litigation, antitrust, IP, international, and advertising. Previously, he worked at the world's largest consumer package goods company and at an international software company. Derry began his career in a large law firm's D.C. office. He graduated from law school in 2001 and served as an editor for Law Review. Derry is a registered U.S. patent attorney and holds the CIPP - US/IT/C/E designations. He is a recipient of the 2012 ACC Inaugural Top 10—30 Something's Award recognizing excellence in the in-house legal profession and is a finalist for the 2012 WMACCA's Outstanding In-House Counsel Award.



RIO GUERRERO is a partner with the U.S. immigration law firm Guerrero Yee LLP in New York City. For over a decade,

his firm has successfully represented corporate and individual clients with their immigration matters in all 50 United States and abroad. In 2012, the Filipino-American National Historical Society honored Rio with the Contributions to Excellence Award, recognizing his success as an attorney and pro bono service to the Filipino-American community. A respected member of AILA, he serves as one of eight appointed members on its National Committee on Health Care Professionals. In 2009. he formed and currently Co-Chairs the AABANY Immigration and Nationality Law Committee. Since 2007, he has taught as an Adjunct Professor of Immigration Law at the City University of New York - SPS. He is an Edward V. Sparer Fellow of Brooklyn Law School.

For Jason Leung, Ridout & Maybee LLP in Toronto, Canada, a foundation for support was not always there, so he helped build one. Leung is a founding member and past president of the Federation of Asian Canadian Lawyers (FACL), NAPABA's only Canadian affiliate. "Since FACL was founded in 2007, its membership has grown to almost 250, and it has established itself as a strong public advocate for the Asian Canadian community," says Leung. Leung is also the first Canadian lawyer to serve on the NAPABA

Board of Governors as the NAPABA Northeast

WORDS OF ADVICE

regional governor.

Many BU40 honorees from previous years to the most recent class did not get to where they are in their careers alone. Most credit a network of peers and mentors who have pushed and encouraged them to take risks. Although the idea of having a mentors seem standard, finding one is not always easy. "Don't be afraid to seek out a mentor," says Ho, a child of immigrant parents who could not always help her navigate her academic and career paths. "I had to seek out my own mentors and had to build the confidence to do just that."

"DON'T BE AFRAID **TO SEEK OUT A MENTOR. I HAD TO SEEK OUT MY OWN** for James Derry, associate **MENTORS AND** HAD TO BUILD THE **CONFIDENCE TO** DO JUST THAT." —Melissa Ho

Building a network of mentors is only one of the several ways BU40 honorees have succeeded. But what also makes a successful BU40 candidate is his/her ability to stand out, and general counsel and chief IP officer at Arbitron, Inc., that meant being authentic. "It is very easy to try and mold your attitude and personality to conform with your work environment," Derry says. "I'm not suggesting that one act in an unprofessional manner, but you have to be

'true' to yourself and stand by what you believe in, not what others tell you to believe in."

Anyone can attest that being the best is hard work. But hours at the office and with clients really do not matter if there is no balance between the professional and personal. "Work your tail off when you are at the office, but try your best to get

back home and have dinner with your family as often as possible. The work will always be there, but your kids won't always be kids," says Leung.

REACHING MONUMENTAL HEIGHTS

The NAPABA BU40 Award aims to leverage the careers of rising APA lawyers. Past honorees have gone on to establish incredible careers. This year's class joins the distinguished group of past BU40 honorees that include Honorable Jacqueline H. Nguyen of the U.S. Ninth Circuit Court of Appeals, the first Vietnamese American federal judge and first APA woman federal appellate judge; and Frank Wu, current dean of the University of California, Hastings College of the Law, the first APA to teach at Howard University Law School, and the first APA dean of Wayne State University Law School.

There is no doubt that this year's class will follow in the footsteps of their predecessors and blaze trails for those to come. It will be interesting to see what these young lawyers have in store in their prospering careers. NAPABA congratulates the 2012 class of BU40 as they continue to move mountains, break barriers, and reach monumental heights.



MARK HANASONO is

a senior trial attorney and team leader for the Los Angeles County Alternate Public Defender office. He represents indigent clients in felony cases, including capital murder, and supervises a team of attorneys in APD's central

office. Hanasono was also a deputy public defender for the Los Angeles County Public Defender. Over his career, Hanasono has tried 85 jury trials. He was a law clerk for District of Columbia Superior Court Judge Stephanie Duncan Peters, and an extern for U.S. District Judge Robert Takasugi. Mark serves as secretary for the Japanese American Bar Association, and was appointed to the State Bar Criminal Law Section Executive Committee. He graduated from Georgetown University Law Center, and summa cum laude and Phi Beta Kappa from University of California Berkeley.



LABONI HOQ is the litigation director at the Asian Pacific American Legal Center (APALC), a member of the Asian American Center for Advancing Justice, where she leads APALC's impact litigation efforts. Prior to that, she was an associate at two civil rights law firms, and a litigation associate at Sidley Austin

LLP in Los Angeles. Hoq graduated from U.C. Berkeley with a B.A. in 1996, Cambridge University with a M. Phil. in 1998, and Columbia Law School with a J.D. in 2001. In 2001, she was awarded a Fulbright fellowship to South Africa to clerk on its Constitutional Court and conduct research on indigenous land rights. Hoq has been listed in the Southern California Super Lawyers Magazine® - Rising Stars edition since 2008.



NAHO KOBAYASHI is a partner in the Debt Finance Department at McGuireWoods LLP in Charlotte, North Carolina, and Co-Chair of the Firm's Recruiting Committee. She regularly represents lenders in complex senior financings involving companies in the healthcare, timberlands/forest products and

media/telecommunications industries. Kobayashi is a member of MAP-Bar (the Asian-American bar association for Mecklenburg County), and the board of trustees for the Lawyers Committee for Civil Rights Under Law; prior to moving to North Carolina in 2007, she served as vice president of and board member-at-large for the Georgia Asian Pacific American Bar Association. Kobayashi is a graduate of Johns Hopkins University (B.A., High Honors) and the Duke University School of Law (J.D., *cum laude*) and was a 2006/2007 Georgia Superlawyers Rising Star.



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initiatives, including securities law compliance, mergers and acquisitions, and corporate governance. She was the lead attorney in the company's successful IPO in 2010. Previously, she was an associate with Ropes & Gray, where she concentrated on private equity debt financings. Ho currently serves as co-president of the Asian American Lawyers Association of Massachusetts and has served on its board since 2009. She previously served as host committee co-chair for the 2009 NAPABA national convention. Ho earned a J.D. from Georgetown University, an M.S. in Foreign Service from Georgetown's School of Foreign Service, and a B.A. in East Asian Studies from Harvard University. She is married and has two young sons.



MELISSA HO is a shareholder at Polsinelli Shughart in Phoenix, Arizona. She practices in the areas of government

investigations and white-collar criminal defense representing and advising individuals and corporations who are targets of complex governmental and regulatory investigations. Ho is a registered patent attorney and a former felony crimes prosecutor. Fluent in Mandarin and Cantonese Chinese. she is actively involved with Asian and Asian Pacific American communities. She is past-president of the Arizona Asian American Bar Association, Commissioner of the City of Phoenix Pacific Rim Advisory Council, and sits on a number of State Bar committees and sections. Ho is a graduate of Arizona State University's Barrett's Honor College and the University of Arizona James E. Rogers School of Law.



BLOSSOM KAN is an assistant general counsel at MetLife. Kan's focus is on disputes relating to the sale or performance of

life insurance products, annuities, and investments. Kan also handles FINRA, SEC and state regulatory matters, advises on enhancements to compliance, mitigates litigation risk, and works on public filings and disclosures. Prior to joining MetLife, Kan was at the law firms of Akin Gump Strauss Hauer & Feld and Orrick Herrington and Sutcliffe. Kan is a member of the board of directors of PALS, which provides mentorship to diverse law students. Kan is a graduate of Yale University and NYU Law School. She has also co-authored two novels published by St. Martin's Press, China Dolls and Young, Restless and Broke.





NICOLE KUBISTA is a litigator for the Minnesota Office of the Public Defender. She has litigated thousands of cases and secured acquittals for her clients on charges such as murder, criminal sexual conduct, drugs and weapons. Nicole is part of an elite public defender forensic science litigation unit specializing in DNA evidence. Upon gradu-

ation from the University of Minnesota Law School, she was a law clerk for the Constitutional Court of South Africa, the country's highest court of appeal. She has served as president of the NAPABA-Minnesota Chapter, vice chair of the Saint Paul Human Rights Commission, and coached the Thomas Tang Moot Court Competition Team for Hamline Law School. She lives in Minnesota with her partner Jenny and their eight year old son.



JASON LEUNG is an intellectual property lawyer and director at Ridout & Maybee LLP's Toronto office. His law practice is directed to the preparation and prosecution of patent applications in all areas of technology and trademark applications. He also provides clients with patentability, infringement, validity and trademark registration

opinions. He is the current author of the Canada chapter in the Kluwer Manual of Industrial Property and writes a bimonthly column for *Canadian Lawyer Magazine*.

Leung is a founding member and a past president of the Federation of Asian Canadian Lawyers and currently serves on the board of governors of NAPABA as the Northeast regional governor. He also serves on the boards of the Toronto Lawyers Association and LibraryCo Inc.



EDWARD LEW is principal counsel at The Walt Disney Company in Burbank, California, where he

advises Disney Interactive and Disney Technology Solutions and Services on transactions and issues related to new/connected media and technology. Lew is a past president of the Asian Pacific American Bar Association of Los Angeles County and serves on its Advisory Board. He also is the current president of OCA-Greater Los Angeles Chapter. He received his BA degrees in Economics and Ethnic Studies, with distinction, from UC Berkeley, and his JD from the UCLA School of Law. While at UCLA, Lew served as Editor-in-Chief of the Asian Pacific American Law Journal and co-chair of the Asian Pacific Islander Law Students Association and Southern California Asian Pacific American Law Students Association.



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ABE LOWE
is a partner
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Lowe has over

600 trademark filings to her name and has protected the brands of such clients as Carl's Jr., Ruby's Diner, Taco Bell, Shaquille O'Neal, and Oscar de la Hoya. She is currently NAPABA regional governor and president of the Orange County Asian American Bar Association, and co-chaired the 2012 NAPABA Western Regional Conference. She has received multiple awards and recognition for her work, including the "Rising Star" Award from ACC-Southern California, "40 Under 40" from OCMETRO Magazine, "10 Movers & Shakers" from Live Orange County Magazine and "Five Associates to Watch" from the Daily Journal. Lowe graduated from Yale University and UCLA School of Law.



PARK is a partner with Winston & Strawn, where he focuses on patent litigation and counseling.

As a registered patent attorney, Park has advised more than a dozen different pharmaceutical companies on over a hundred different drug products. He routinely assists clients in determining patent and litigation strategies throughout a drug's lifecycle, from soup to nuts. Park also is a skilled litigator and has obtained favorable outcomes on a broad range of high-stakes patent cases, including one of the "top verdicts of 2011." He is the immediate past President of KABA Chicago and an honorary board member of AABA Chicago. Park received his B.A. from the University of Chicago and J.D., magna cum laude, from Loyola University Chicago Law School.



JUDGE CARLA WONG
MCMILLIAN serves as the state
court judge of Fayette County,
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University and the University of
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McMillian was a partner with
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States District Court for the Northern District of Georgia. In 2010, she was one of the recipients of the Georgia Most Powerful and Influential Women Award from the National Diversity Council. Judge McMillian was also selected as a Georgia Super Lawyers Rising Star for 2007 and 2010.

Judge McMillian is on the board of directors of GAPABA. She is the first elected APA woman judge in the State of Georgia.



TEENA-ANN V. SANKOORIKAL is a partner at Cravath, Swaine & Moore LLP. She has a broad litigation practice, with particular experience in intellectual property matters, as well as antitrust law, securities and the Alien Tort Statute. Her recent representations include victories for IBM, Qualcomm, Warner Brothers Records

and choreographer Mary Anthony in litigation concerning antitrust, patents, copyrights and trade secrets. Sankoorikal has lectured and written about complex litigation, intellectual property and ethics for the PLI. In addition to mentoring associates, she frequently speaks on leadership and law panels for various APA bar and law school organizations. Sankoorikal graduated cum laude from Yale University with majors in chemistry and sociology and received her J.D. from the University of Pennsylvania, where she was on the Law Review.



JEANNIE SUK is professor of Law at Harvard Law School where she teaches criminal law and family law. She is the

first tenured Asian American woman in the school's history. She served as a law clerk to Judge Harry Edwards on the U.S. Court of Appeals for the D.C. Circuit, and to Justice David Souter on the United States Supreme Court. Her book, At Home in the Law, won the Law and Society Association's top prize for most outstanding book published that year. Her influential writing has appeared in the Yale Law Journal, New York Times, and Wall Street Journal. She was awarded a Guggenheim Fellowship and a MacDowell Colony Fellowship to support work on her next book, *The Trauma Society*, to be published by Scribner.



VINOO VARGHESE is the principal at Varghese & Associates, P.C., a criminal and asset forfeiture defense firm founded in

2006. Varghese has tried almost 30 criminal cases to verdict and written over a dozen appeals including one of three amicus briefs filed in the *United States v. Rajaratnam*, the largest insider trading case in American history. The firm's cases have been featured in the *Wall Street Journal* and the *New York Times*.

In 2000, Varghese began his career as a prosecutor in the Brooklyn District Attorney's Office. In 2005, he was named senior assistant district attorney and was appointed to run a unit that prosecuted attempted murders of NYPD officers.

Varghese graduated from Brooklyn Law School in 2000 and from New York University in 1996.



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