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## Chicago Team Helps Clear Wrongly Convicted Man of Murder Charge

Chicago Litigation and Dispute Resolution associates **Charles DeVore** and **David Luger** helped win the release of inmate Jason Strong after 15 years behind bars. Both David and Charles have worked on Jason's case since they were students at Northwestern University School of Law's [Bluhm Legal Clinic](#). Jason was convicted of the December 1999 murder of Mary Kate Sunderlin, though her identity was unknown at the time of the trial. Jason's conviction was based on incorrect assumptions in the victim's autopsy report and a series of false confessions provided to police by Jason and a fellow suspect.

In 2008, Judge Matthew Kennelly appointed Tom Geraghty of the Bluhm Legal Clinic to represent Jason in his *habeas* proceedings. David, Charles and other law students from Northwestern investigated Jason's innocence claim and represented him in filing his state post-conviction and *habeas* petitions. During the course of several years, the investigation demonstrated that the state's case against Jason was deeply flawed. Several witnesses recanted their trial testimony and statements to police. Additionally, the investigation into the victim's identity revealed that she was a mentally disabled woman who lived more than 40 miles away from the site where her body was found and was likely unable to travel to Lake County on her own volition. The legal team further learned that shortly before her disappearance, she had been taken in by a mother and daughter who had a history of abusing and exploiting elderly and disabled people.



In 2013, the Illinois Attorney General's Office and Lake County State's Attorney Mike Nerheim agreed to jointly investigate the case. Central to the reinvestigation effort was the retention of two forensic pathologists who concluded that the medical evidence—which indicated that the victim had been subjected to long-term abuse and had likely suffered her fatal injury at least 24–48 hours before her death—contradicted the State's theory at trial. David, Charles, and the rest of the Northwestern team presented these findings to State's Attorney Nerheim and representatives from the Attorney General's Office. Following the presentation, the Attorney General's forensic expert issued a report concurring with the findings of Jason's experts. Judge Kennelly vacated Jason's conviction shortly thereafter.

Jason is the sixth inmate cleared of a major felony in Lake County since 2010. He had been serving a 46-year sentence. After Jason's release, David, Charles and their former colleague at Winston & Strawn, Brian Nisbet, joined Jason and his mother for Jason's first meal as a free man: a bacon cheeseburger and a root beer. Jason expressed his deep gratitude to Northwestern, Katten and Winston for their continued advocacy on his behalf. David's and Charles' work was featured in a front-page *Chicago Tribune* article on May 29 detailing the release.

## Team Led by Robert T. Smith Obtains Significant Victory on Behalf of Transgender Ironworker

A multi-office Katten team has obtained a significant victory in the US Court of Appeals for the Second Circuit on behalf of its client, a transgender ironworker who sued his labor union for alleged sex discrimination and unlawful retaliation. The plaintiff claimed that Ironworkers Local 40 and its business agents discriminated against him by refusing to refer him for work through the union’s hiring hall, and retaliated against him for filing an earlier action against the union. A federal district court found the plaintiff failed to exhaust his administrative remedies and dismissed his state- and city-law claims for lack of jurisdiction. However, in a precedent-setting ruling, the Second Circuit vacated the lower court’s dismissal, ruling that allegations of discrimination on the basis of transgender status are sufficient to state a claim against a labor union for breach of the union’s duty of fair representation. The Second Circuit also cleared the way for the plaintiff to attempt to prove claims of transgender discrimination under Title VII of the Civil Rights Act of 1964 by reasoning that the failure to exhaust administrative remedies is not jurisdictional and inviting the district court to consider whether the plaintiff’s failure to exhaust should have been excused.

The Second Circuit was appreciative of Katten’s efforts and thanked the firm for accepting the case on a pro bono basis and, in its published opinion, acknowledged Katten’s efforts by noting that the plaintiff was “ably represented” on appeal. Washington, DC Litigation and Dispute Resolution partner Robert T. Smith, who clerked for a judge on the Second Circuit, received the case through a court appointment and led the team, which included Appellate and Supreme Court Litigation practice head **Howard Rubin** and Litigation and Dispute Resolution associates **Tami Sims** (Los Angeles – Century City) and **Daniel Lipton** (Washington, DC). “This is a significant victory, not only for our client, but also for other members of the community who have been discriminated against on the basis of their gender identity,” said Howard. Katten’s victory has received [media attention](#) from outlets such as Bloomberg BNA’s *Daily Labor Report* and Law360.

## Appeals Court Upholds Another Gun Safety Law Defended By Katten Attorneys



The US Court of Appeals for the Seventh Circuit has rejected a Second Amendment challenge to a ban on assault weapons and large capacity ammunition magazines enacted by the City of Highland Park, Illinois. Director of Pro Bono Services **Jonathan Baum** and Chicago Litigation and Dispute Resolution associate **Thomas Peabody** represented the [Law Center to Prevent Gun Violence](#), the City of Chicago and the Cook County (Illinois) State’s Attorney as *amici curiae* in defending the constitutionality of the Highland Park ordinance. In an opinion authored by Judge Frank Easterbrook, the Seventh Circuit held that the ordinance does not violate the Second Amendment because it leaves Highland Park residents with “ample means” to exercise their right to keep and bear arms, and may “reduce the carnage if a mass shooting occurs,” may “reduce the overall dangerousness of crime that does occur” and may “increase the public’s sense of safety.”

This is one in a string of recent victories by Katten attorneys on behalf of the Law Center and other gun safety organizations in defending the constitutionality of similar bans enacted by numerous state and municipalities across the nation in the wake of the Newtown, Connecticut tragedy. *See related story below.*

## Peter Wilson Helps Overturn Denial of Asylum for Persecuted Guatemalan Man

Chicago Litigation and Dispute Resolution associate **Peter Wilson** won a [Board of Immigration Appeals](#) reversal of an immigration judge’s denial of asylum for a man fleeing persecution in Guatemala. Peter represented the Guatemalan man, who is gay and was assaulted as a minor in Guatemala for his sexual orientation. The judge found that he was indeed persecuted, but distinguished between the social groups of “gay men” and “gay youth” and found that since he was no longer a minor he did not have a well-founded fear of future persecution. The Board rejected the judge’s age-based distinction and accepted Katten’s argument that the relevant social group was simply “homosexual males.”

## Austin Team Obtains Significantly Lower Sentence in Tax Fraud and Identity Theft Case

Austin Environmental partner **Kevin Collins** and associate **Catherine “Katie” Bennett Hobson** convinced a federal judge to impose a significantly lower sentence in a tax fraud and identity theft case to which they were appointed by the federal court. The government alleged that their client led a stolen-identity-tax-refund-fraud scheme and attempted to defraud the Internal Revenue Service of \$1.8 million. The maximum statutory term of imprisonment was 15 years and the applicable US Sentencing Guideline range was approximately 11.5 to 14 years. After briefing and oral argument, the judge imposed a 4.5-year sentence.

Katie’s efforts were critical to drafting objections to the pre-sentence investigative report (PSR), drafting the sentencing memorandum, cross-examination of an IRS Criminal Investigative Division agent and oral argument during the sentencing hearing. She participated in all aspects of the defense and was admitted to practice in the Western District of Texas during the process.

The judge sustained two of Katten’s objections to the PSR related to the calculation of the number of identity-theft victims and whether the defendant abused a position of trust. These objections reduced the recommended guideline range. The judge also considered Katten’s arguments based upon the statutory sentencing factors. The result was a significant downward departure from the recommended sentencing guideline range and a successful result for the client.

## Chad Doobay Obtains Protection and Legal Status for Abused Jamaican National and Her Son

Chicago Government and Public Finance associate **Chad Doobay** won lawful permanent residence for a Jamaican national and her Panamanian son. The clients were victims of domestic abuse at the hands of an American citizen and survived repeated beatings and abuse. After fleeing to a domestic abuse shelter, the clients were connected to Chad through the [National Immigrant Justice Center](#), which arranges for pro bono representation for asylum seekers and immigrant victims of abuse. Chad obtained protection and legal status for his clients under the Violence Against Women Act and helped them secure employment authorization and ultimately lawful permanent residence.



## Washington, DC Attorneys Volunteer at the D.C. Bar Pro Bono Program’s Advice and Referral Clinic

Washington, DC attorneys participated in the [D.C. Bar Pro Bono Program’s Advice and Referral Clinic](#) at [Bread for the City](#)’s Northwest Center, a local non-profit community service organization. The attorneys assisted walk-in clients with a wide array of legal issues ranging from housing concerns to bankruptcy to drafting motions for ongoing litigation. The attorneys who participated include Environmental partner **David Hoffmann**, Structured Finance and Securitization partner **Seth Messner**, Intellectual Property associate **Michael Justus**, Litigation and Dispute Resolution associate **William McGonigle**, Real Estate associate **Julia Schmidt** and Litigation and Dispute Resolution staff attorney **Brett Stone**.



## Katten Wins Outstanding Pro Bono Partner Award From Law Center to Prevent Gun Violence



The [Law Center to Prevent Gun Violence](#) has honored Katten with its Richard W. Odgers Pro Bono Partner Award for Katten’s “exceptional efforts in vital Second Amendment litigation.” The Law Center recognized Katten for having, during the last two years, represented the Law Center and other gun safety organizations as *amici curiae* in successfully defending against Second Amendment

challenges to bans on assault weapons and large-capacity magazines. These laws were enacted by four states and three municipalities in the wake of the Newtown, Connecticut tragedy. This work has encompassed seven Katten attorneys from three different offices in the Second, Fourth, Seventh and Ninth US Courts of Appeals, federal district courts in Connecticut and New York, and state appellate courts in Colorado and Illinois.

Katten's team includes Director of Pro Bono Services **Jonathan Baum**, San Francisco Bay Area Environmental partner **Shannon Broome** and associate **Julia Miller**, New York Litigation and Dispute Resolution associates **Mark Ciani**, **Daniel Ketani** and **Christopher Patalano** (not yet licensed), and Chicago Litigation and Dispute Resolution associate **Thomas Peabody**.



Jonathan Baum accepted the award on behalf of Katten at the Law Center's 22nd Anniversary Dinner in San Francisco on June 22. Jonathan said, "As much as we are honored by this award, the real honor is in the opportunity to help, in some small way, to make Americans safer from gun violence." The award is named for Richard Odgers, who cofounded the Law Center in 1993 following the horrific mass shooting at 101 California Street in San Francisco. Retired US District Judge Vaughan Walker presented the award.

## Pro Bono Spotlight: Becky Lindahl

**Safe Alliance**, a 24-hour crisis center for victims of sexual assault and domestic abuse, honored Katten with its Commitment to Justice Award at the 2015 **Safe Alliance Barristers Ball**. The firm was recognized for its contribution to the Legal Representation Project (LRP), a Safe Alliance project that provides pro bono legal representation to victims of domestic violence to help them obtain protective orders. Charlotte Litigation and Dispute Resolution partner **Becky Lindahl** received the Individual Commitment to Justice Award for her contributions to LRP.



Becky also received the Extraordinary Pro Bono Service Award for Outstanding Individual Attorney from the **Mecklenburg County Bar**. On May 1, the *Charlotte Business Journal* interviewed Becky regarding her award and the pro bono work she does on behalf of **Safe Alliance**. When asked how she is able to dedicate more than 100 hours each year to Safe Alliance, Becky explained that, "No matter how busy I am, four to six hours over two weeks isn't going to blow my schedule that much. It's important to make time for it."

Additionally, Becky was named to the Pro Bono and Resource Development committee of the **North Carolina Equal Access to Justice Commission** (EATJC). The EATJC, which is chaired by North Carolina Supreme Court Chief Justice Mark Martin, was established in November 2005 by a North Carolina Supreme Court order in recognition of the need to expand civil legal representation for people of low income and modest means in North Carolina.

## New York Trusts and Estates Team Receives Pro Bono Leadership Award at Legal Services NYC's Jazz for Justice Event

Led by Trusts and Estates partner **Ronni Davidowitz**, the New York Trusts and Estates practice was honored by **Legal Services NYC** with its Pro Bono Leadership Award at the organization's **Jazz for Justice** event. Katten was recognized for assisting HIV-positive and LGBT clients in Brooklyn with drafting wills. Legal Services NYC provides free civil legal services regarding housing, family, domestic violence, public benefits, income tax, employment, education, immigration and consumer rights.



## Peter Wilson Honored as Rising Star by the National Immigrant Justice Center



Chicago Litigation and Dispute Resolution associate **Peter Wilson** was selected by the [National Immigrant Justice Center](#) (NIJC) as a Rising Star at the nonprofit's 16th Annual Human Rights Awards event. The NIJC is dedicated to ensuring human rights protections and access to justice for all immigrants, refugees and asylum seekers. The Human Rights Awards luncheon is a celebration of corporate and individual human rights leaders from more than 750 members of the business, legal, civic, and philanthropic communities. Peter was recognized for his commitment to providing pro bono work to NIJC's immigrant clients.

## Thirteen Attorneys Receive New York State Bar Association Empire State Counsel® Awards



Katten congratulates the following attorneys who received the [New York State Bar Association](#) (NYSBA) Empire State Counsel® Awards: **Karen Artz Ash** (Intellectual Property), **Arielle Buss**, **Neil Carbone**, **Allison Clayton** (Trusts and Estates), **Guy Dempsey** (Futures and Derivatives), **Zachary Denver** (Litigation and Dispute Resolution), **Jessica Garrett** (Intellectual Property), **David Goldstein** (Trusts and Estates), **Sherry Jetter** (Intellectual Property), **Theresa Kraker** (Trusts and Estates), **Margaret McQuade**, **Tenley Mochizuki** and **Dean Razavi** (Litigation and Dispute Resolution).

The NYSBA honors members who, during the calendar year, performed 50 hours or more of pro bono legal services either through direct legal representation of a low-income/vulnerable individual or of an organization whose services are designed primarily to address the legal and other basic needs of persons of limited financial means.

## Karen Artz Ash Elected Vice President of Volunteers of Legal Service



New York Intellectual Property partner **Karen Artz Ash** was elected vice president of [Volunteers of Legal Service](#) (VOLS) and re-elected to her board of directors and executive committee position. The VOLS mission is to leverage the good will, resources and talents of New York City's leading law firms to provide pro bono legal assistance to the city's neediest residents.

## Washington, DC Office's Regatta Raises More Than \$10,000 for the Washington, DC-Area Food From the Bar Fundraising Campaign to Fight Hunger



Attorneys and staff from the Washington, DC office participated in the firm's inaugural regatta fundraising event to combat hunger. On May 9, 14 teams raced down the Potomac River in canoes and kayaks as part of Katten's commitment to support [Food From the Bar](#), the Washington, DC legal community's annual fundraising campaign in partnership with the [Capital Area Food Bank](#). Washington, DC Real Estate co-chair **John Muir** and Environmental partner **David Hoffmann** crossed the finish line first as the winners of the regatta. More than 75 employees in the Washington, DC office donated more than 200 pounds of food and raised more than \$10,000, the equivalent of 25,000 meals, during the month-long campaign. For their efforts, the Capital Area Food Bank recognized Katten with the Creativity Award.



## Los Angeles – Century City Office Raises Nearly \$3,000 for the Los Angeles-Area *Food From the Bar* Fundraising Campaign to Fight Hunger

Attorneys and staff at the Los Angeles – Century City office prepared hundreds of care packages and helped fill 4,000 bins to feed thousands of families as part of the seventh annual *Food From the Bar* campaign for the [Los Angeles Regional Food Bank](#). Additionally, the team raised nearly \$3,000 for the campaign by selling treats from an ice cream cart and hosting a bake sale where attorneys and staff baked pies, cookies and other goodies. They also made donations for several jeans days throughout May and hosted a donation-only pizza lunch for the finale.



## Charlotte Office Participates in the Sarcoma Stomp 5K Run and 3K Walk to Raise Money for Cancer Research

Seventeen attorneys and staff from the Charlotte office, along with their families, participated in the Sarcoma Stomp 5K Run and 3K Walk to raise funds for the [Levine Cancer Institute](#). The annual event is the signature fundraiser for the [Paula Takacs Foundation for Sarcoma Research](#), whose mission is to raise awareness of sarcoma and advance novel sarcoma research. Each participant donated \$25 to join the team.



## Alan Brudner Helps Nine Second Circuit Interns Receive Financial Aid

New York Litigation and Dispute Resolution partner **Alan Brudner** continued his role as chair of the [Federal Bar Council's US Attorney's Office Summer Stipend Committee](#), recommending nine interns for the [New York Community Trust](#) and helping to raise \$10,000 for the [Federal Bar Foundation](#) to create trusts for future interns. Summer interns of the US Court of Appeals for the Second Circuit are unpaid, which makes it a challenge to participate in the internship and afford to live in New York City. Law students who have been accepted by the US Attorneys' Office for summer internships apply to the Stipend Committee and are evaluated based on need. Alan's committee then makes recommendations to the New York Community Trust, which finalizes the awards. This year the nine interns received up to \$7,500 each for their internships.



## Katten Sponsors Buddy Bison School Program for Students at José de Diego Community Academy

For the third year in a row, Katten partnered with the [National Park Trust](#) (NPT) to sponsor NPT's Buddy Bison School Program for fifth-grade students at [José de Diego Community Academy](#). The program is an outdoor education course designed to enhance science and history curricula. Students enjoy a number of hands-on activities, including growing a vegetable garden at the Chicago Botanic Garden and examining a rare habitat at the Indiana Dunes National Lakeshore. NPT education director, Billy Schrack, said of Katten, "We greatly value the partnership with Katten Muchin Rosenman LLP, which has allowed us to bring environmental education to these enthusiastic students each year. They learn not only about the park's unique ecosystems, but also about the importance of stewarding our natural resources for future generations."



## Daniel Render Speaks at the Anti-Defamation League's Annual Summer Associate Research Program Breakfast



Chicago Corporate associate **Daniel Render** spoke at the [Anti-Defamation League](#) (ADL)'s Annual Summer Associate Research Program Breakfast, discussing his experience participating in the Summer Associate Research Program and how the program has impacted his continued involvement with pro bono work at Katten. Daniel is a board member of the ADL and a co-chair of the [Glass Leadership Institute](#), a nationally recognized young leadership development program offered by the Anti-Defamation League. Katten summer associates have participated in ADL's Summer Research Program for several years.

## Chicago Summer Business Institute Intern Earns Full-Ride Scholarship to University of Notre Dame

For more than 10 years, Katten has served as a sponsor for the [Chicago Summer Business Institute](#) (CSBI), a program for outstanding Chicago-area high school students from under-privileged backgrounds. CSBI gives students the opportunity to work in areas throughout the Chicago public finance community, including government, banking, financial advisory and law, and provides opportunities for mentorship and exposure to potential career paths. Jasmine Madrigal, a high school student who completed internships with Katten's Government and Public Finance practice the past two summers, has won the prestigious QuestBridge Scholarship, which will allow her to attend the University of Notre Dame this fall on a four-year full-ride scholarship. Jasmine's twin sister, Elizabeth, won the same prestigious scholarship and the sisters will be the first in their family to attend college.

According to Government and Public Finance associate **Chad Doobay**, who served as Jasmine's supervisor at Katten, Jasmine was "well known here as an outstanding intern who showed a keen interest in public finance matters and an ability to learn quickly. She will no doubt have a bright future."

## From Our Grateful Clients

Two clients recently wrote to share their gratitude for Katten's pro bono services.

John Navarro, the contact teacher for the Mock Trial program at [José de Diego Community Academy](#), recently wrote the following to Director of Pro Bono Services Jonathan Baum:

*I feel the need to express my gratitude and profound admiration for the group of professionals from your firm who have been working with our students ever since this program started at our school. They are compassionate, understanding, resourceful and patient, and overall amazing human beings who go out of their way to bring this prolific experience to our kids. I must underline that [Chicago Real Estate associate] **Jason Gorczynski** is an outstanding leader, and every year he makes this happen no matter the challenges and difficulties. On behalf of our school leadership, and all the teachers, administration and students involved in the Mock Trial program, we want to thank you and your staff for a job well done. We bid you peace.*

*Cordially,*

*John Navarro*

Additionally, Amy Zimmerman, director of [Chicago Medical-Legal Partnership](#) for Children, shared the following with Jonathan Baum:

*I just want to thank you so much for sending [Chicago Corporate associate] **Neal Shah** our way. His assistance on the national early childhood work we are doing has been fantastic and truly integral to our efforts!*

*Amy*