

pro bono & community service NEWS

June 2010

Welcome to the first issue of *Pro Bono & Community Service News*! We want this newsletter to be a chance for everyone at Katten—lawyers and non-lawyers alike—to learn about the good works of their colleagues and to spread the word about their own. We can’t tell your story unless you tell us, so please send us news about interesting cases and matters, whether ongoing or concluded, as well as about non-legal community service work you’re doing. Maybe you’re mentoring kids, working in a soup kitchen or cleaning up a park. We want to hear about it! And, just maybe, by letting us all know about it, you’ll recruit some of your colleagues to volunteer alongside you. Please email all submissions (and comments or suggestions) to me at jonathan.baum@kattenlaw.com.

Jonathan Baum
Director of Pro Bono Services

Katten Partners with LIVESTRONG

After meeting LIVESTRONG President and CEO Doug Ulman last year at the LIVESTRONG Challenge bike ride in Austin, Texas, partner **Zia Modabber** (Litigation, Los Angeles) immediately suggested doing pro bono work for the organization. Katten has since worked with LIVESTRONG on a variety of different projects, from labor and employment to health care, and is providing ongoing legal assistance to the organization. Most notably, Los Angeles corporate associates **Heather McCauley** and **Efrain Miron** assisted with the merger between Lance Armstrong Foundation Merchandise, Lance Armstrong Foundation Events and Lance Armstrong Foundation Endowment, all Texas nonprofit corporations that fall under the LIVESTRONG name.

Founded by cancer survivor and champion cyclist Lance Armstrong, LIVESTRONG works to improve the lives of people affected by cancer. Zia is an avid cyclist and a member of the cycling club Team Helen’s, which has chosen LIVESTRONG as its charitable beneficiary. Learn more at www.livestrong.org.

Attorney Assists ALCC Client with Estate Planning

The AIDS Legal Council of Chicago (ALCC) has extended its thanks to associate **David Allen** (Trusts and Estates, Chicago) for providing “invaluable assistance and peace of mind” to a client who needed estate planning help to pass his possessions on to his surviving partner. David made home visits to accommodate the ailing client and ensure that his will was finalized before he passed away. The ALCC exists to preserve, promote and protect the legal rights of men, women and children in the metropolitan Chicago area impacted by HIV. Learn more at www.aidslegal.com.

Katten Attorneys Help Clients Find Immigration Relief

Kamilah Smith, an associate in the Los Angeles Corporate Practice, successfully obtained permanent resident status on behalf of pro bono client Angelina Martinez. Ms. Martinez had been petitioning to the U.S. Citizenship and Immigration Services (USCIS) for years as a victim meeting the U Visa requirements set forth in the Victims of Trafficking and Violence Prevention Act (VTVPA).

Katten Attorneys Help Clients Find Immigration Relief *(continued)*

Emily Prentice, an associate in the Chicago Litigation Practice, obtained asylum for her pro bono client, a gay man from Zimbabwe. The client sought asylum on account of his membership in a particular social group of gay men in Zimbabwe and also based on his political opinions and support for GALZ, a gay human rights group in Zimbabwe, and the Movement for Democratic Change, the opposition party to President Robert Mugabe's ZANU-PF party. Litigation associates **Sherina Maye** and **David Kerastas** assisted.

Public Interest Law Initiative (PILI) Profiles Chicago Associate

Chicago litigation associate **Monica Mosby** recently was featured in the PILI newsletter's Alumni Spotlight. A 2004 PILI Fellow at the Federal Defender Program, Monica continues to devote time to pro bono work, most notably with the Legal Assistance Foundation of Metropolitan Chicago and the Chicago Lawyers' Committee for Civil Rights Under Law. She is one of six former PILI Fellows at Katten. >>[Read more](#)

Corporate Client Lauds Katten Team's Fight for Single Mother Facing Eviction

Earlier this year, a Chicago-area single mother facing eviction was referred to Katten attorneys through firm client Standard Parking. Since she was employed, she was ineligible for free legal assistance, but still could not afford an attorney to argue in her defense.

"When I became aware of her predicament, I was at a loss as to how to advise or help her," said Robert Sacks, executive vice president and general counsel at Standard Parking. "From what I understood of her case, she had a number of viable defenses to the eviction. All she really wanted, however, was an opportunity to remain in her rental until her children could finish the school year."

Chicago associates **Ari Krigel** (Real Estate) and **Thomas Maas** (Litigation), with the support of **Jonathan Baum** (Director of Pro Bono Services), successfully resolved the case, and the client avoided eviction. Wrote Mr. Sacks in a letter of thanks to Katten's National Managing Partner Vincent Sergi, "The result [the team] collectively achieved for this struggling single mother should make each of them proud. . . .Never underestimate how vital your pro bono work is to your clients and our system of justice."

Katten Attorneys Help Preserve Hudson Valley Through Social Networking

When the Hudson River Foundation and several other organizations sought to create an online forum to bring people together in support of the preservation of the Hudson River Valley, they turned to Volunteers of Legal Service (VOLS) for help drafting policy documents that would protect them from the intellectual property issues related to user-generated content. VOLS recommended Katten partner **Bret Danow** and associate **David Sherman** (Intellectual Property, New York), who developed a privacy policy and terms of use for www.ourhudson.org, and also made sure that the client maintained ownership of the site itself. The site launched at the beginning of April.

Katten's previous involvement with VOLS includes overseeing its Microenterprise Project, for which the firm won a VOLS Pro Bono Award in 2009, and which was selected as a 2010 Neighborhood Achievement Award winner by the New York City Department of Small Business Services. >>[Read more](#)



Charlotte Office Works for Children's Rights

Katten's Charlotte office has had a long-standing pro bono partnership with the Council for Children's Rights (CFCR), which works primarily in the areas of special education, abuse and neglect, mental health, custody, domestic violence and juvenile justice. Katten attorneys have been, and currently are, directly involved with CFCR as volunteer lawyers, as donors and as board members, and for the past seven years the firm has sponsored an annual benefit for the organization. In September 2009, CFCR honored Katten with its "Champion for Children" award in recognition of the firm's commitment of time and resources to protect children's rights.

In the past year, Katten attorneys in Charlotte have contributed an extraordinary amount of pro bono services and made a significant impact in children's lives. Katten partner **Chris Hicks** (Litigation) and associate **Angela Perry** (Bankruptcy), with support from partner **Brad Pearce** (Bankruptcy), represented the parents of a student with numerous special needs in a case against Charlotte-Mecklenburg Schools (CMS), which had failed to tailor the student's educational program to address his unique needs. After attempting to negotiate a resolution with CMS, Katten filed a due process petition on the family's behalf, seeking reimbursement for the tuition paid to the local private school where the student was ultimately placed by his parents, and remedies under the ADA. In January 2010, the family reached a satisfactory settlement, and the student still attends the private institution. Efforts to assist this student in obtaining an appropriate education and other government and community services are still ongoing.

In addition, staff attorney **Charlton Hunley** (Corporate) and associate **Wallace Carnwath** (Litigation) have volunteered their time with CFCR's Student Defense Project (SDP), representing students in disciplinary proceedings by the school system, ensuring that the students are given their due process rights, including notice and an opportunity to be heard with respect to the allegations made against them. Also in the past year, Charlton has assisted CFCR as a volunteer attorney in its Custody Advocacy Program for two cases.

Katten Stages Mock Trial for Students

On May 19, Katten attorneys helped to organize its annual mock trial for seventh and eighth graders at Chicago's Philo Carpenter Elementary School. The criminal trial involved a teenage girl who was charged with hitting a pedestrian in her parents' car after leaving a party. Eighth graders were given roles as attorneys and witnesses, while seventh graders acted as jurors. About 45 students participated.

Staff attorney **Laura Waller** (Litigation, Chicago), who organized the event, said, "The kids really got into it. They surprised all of us with how prepared they were and how they were able to think on their feet." She was assisted by associates **Christine Bestor** (Intellectual Property), **Jason Gorczynski** (Real Estate), **Ari Krigel** (Real Estate), **Thomas Maas** (Litigation), **Patrick Smith** (Litigation) and **Brian Stroh** (Litigation), as well as **Elizabeth Cibula** (Director of Knowledge Management) and **Keith Forrest** (Litigation Paralegal Supervisor).

Band Keeps Its Name with Katten's Help

Chicago intellectual property associate **Christine Bestor** and partner **Floyd Mandell** recently assisted a Los Angeles-based modern rock and blues band with limited resources that had been sued in the Trademark Office. Though the client, called Crazy Aunt Mary, had obtained trademark registration, a New York-based psychedelic indie garage band called Crazy Mary sought to cancel the name that our client had used for several years. Challenged by the Katten arguments that the two marks give two different commercial impressions, belong to two different genres and are in distinct geographic markets, the New York band dropped the case and Crazy Aunt Mary agreed to represent to the Trademark Office that the two marks could coexist.



Washington Attorneys Team with NVLSP to Provide Assistance to Veterans

In 2008 and 2009, a number of attorneys in Katten’s Washington office helped put together a comprehensive resource manual in conjunction with the National Law Center on Homelessness & Poverty (NLCHP) to assist with the many legal issues that affect our veterans, particularly homeless veterans.

Building on this effort, Katten attorneys have begun the representation of individual veterans and active duty soldiers, marines, seamen and airmen. Intellectual property associates **Matthew Fischer** and **Keith Fredlake** are currently representing an Operation Iraqi Freedom veteran suffering from physical injury as well as PTSD as part of his appeals process before the Board of Veterans Appeals. Applying the practical information included in NLCHP manual, they have been working with the Lawyers Serving Warriors initiative of the National Veterans Legal Services Program (NVLSP), which specifically addresses the VA appeals of returning veterans from Afghanistan and Iraq who seek representation during active duty disability hearings as well as proceedings before the VA.

Environmental Attorneys Clean Up the Books

In a pro bono case brought on behalf of a member of the board of directors of a nonprofit environmental organization, Chicago environmental partners **Laura O’Connell** and **Nancy Rich** obtained an agreed order requiring the removal of the organization’s treasurer, appointment of a financial professional to maintain proper accounting practices, and submittal of quarterly reports for one year for review by the pro bono accountants at Deloitte who served as Katten’s experts in the case.

New York Litigators Win Rescission of Unfair Contract

Partner **Steven Shiffman** and associates **Brian Muldrew**, **Greg Johnson** and **Cameron Balahan**, all from the New York Litigation Practice, won a victory in the Supreme Court of New York on behalf of a mentally ill woman who was defrauded out of her home. After litigation lasting more than six years, the court entered summary judgment in favor of Katten’s client, ordering rescission of the “unconscionable” contract under which she had sold her home for an amount less than one-third of what it was worth.

Los Angeles Litigators Win Key Ruling in Civil Rights Case

On March 11, Los Angeles litigation associates **Cory Baskin** and **Noah Balch** scored a major strategic victory in a 42 U.S.C. § 1983 civil rights action in the U.S. District Court for the Central District of California against four current and former Los Angeles County Sheriff’s employees for excessive force and deliberate indifference. The court granted the plaintiff’s motion to compel compliance with discovery and imposed sanctions in the amount of \$7,400 against the defendants. This is a significant victory in an important pro bono case that Katten accepted as part of its participation in the Central District’s Pro Bono Civil Rights Panel.

