

Victories on Behalf of Clients

Katten Chicago Team Wins Favorable Settlement for Prisoner on Eve of Eighth Amendment Trial

On February 24, 2009, Raymond E. King brought an action under 42 USC 1983 against certain medical and dental providers employed by or under contract to the prisons in which he was incarcerated. Mr. King alleged the individuals were deliberately indifferent to his serious medical needs in violation of the Eighth Amendment's prohibition on cruel and unusual punishment. His allegations related to the inadequate treatment he received for his temporomandibular joint disorder, a disorder of the jaw joint and surrounding facial muscles, while he was incarcerated at Menard Correctional Center from August 2004 to September 2007, and at Stateville Correctional Facility from September 2007 through the present. The substandard treatment Mr. King received resulted in his need for a complete joint replacement and physical therapy. He also alleged he never received the physical therapy as prescribed by his oral surgeon, which necessitated another surgery. Mr. King continues to have severe jaw pain to this day.

Katten Litigation associate **Kimberly Beis** and Intellectual Property partner **Stephen Benson** took over representation of Mr. King in 2014. After an interlocutory appeal of summary judgment dismissing certain defendants, the case was set for trial in January 2018. Prior to trial, the defendants made overtures of settlement, but the settlement offers were not acceptable to our client. However, on the morning of the first day of trial, the defendants came to the table and, through settlement discussions mediated by Magistrate Judge Schenkier, eventually offered an amount that Mr. King was willing to accept. The amount of the settlement is confidential, but the settlement was a very favorable outcome for our client and a testament to the strength of his case, his belief in his attorneys and in the rightness of his claim. In the end, Mr. King expressed his sincere thanks to Kimberly and Stephen for treating him with respect, believing in his case and fighting for him. Throughout the case he acknowledged that, under the law, he is not entitled to the best care available, but he was steadfast in his belief he was entitled to be treated like a person, not just a prisoner. Mr. King correctly believed he deserved more than the deliberate indifference he received from the defendants.

In addition to Stephen and Kimberly, numerous paralegals assisted with the case over the years, but most recently, they were assisted by **Maranda Mitchell** and **LaTasha McGee**, whose help was invaluable and greatly appreciated by the client as well. This is an excellent outcome for an individual who has been suffering for years and is rarely looked at as more than an inmate or a number. Kimberly and Stephen are proud to have been in a position to assist Mr. King.

Alyse Sagalchik Wins Pro Bono Divorce Case

In the fall of 2017, Corporate associate **Alyse Sagalchik**, who volunteers at the Katten [de Diego Legal Clinic](#), asked if she could take a simple divorce case. It turned out to be quite the opposite, however. Instead it involved coordination with an assistant state's attorney, intimidating letters from the client's husband in jail, multiple court dates and an oral argument about marital property.

The client, Linda, came seeking a divorce from her abusive husband, who had been in jail since 2013 on domestic battery charges involving an incident that required her to get surgery. It was a case that would usually be referred to the [Coordinated Advice & Referral Program for Legal Services](#) (CARPLS)—Cook County's largest provider of free legal services—on grounds that it was too simple to warrant the resources of an attorney.

After Alyse served the husband with summons, however, he sent Alyse a four-page letter accusing our client of abusing him, asking for money before he would agree to the divorce and ranting about the Clinic. Alyse didn't respond and instead tried to obtain a default judgment quickly for the client. Unfortunately, that took three tries. On the first default date, the judge discovered that the husband had sent him *ex parte* correspondence from jail. On the second default date, the judge was absent and the substitute judge refused to enter the order.



On March 2, however, Alyse and her client returned to court, and the judge agreed to award Linda not only a divorce, but her entire pension on grounds that she is unlikely to receive maintenance.

The client thanked everyone profusely. Since that time, the husband's criminal case was remanded by the appellate court for a new trial based on a technical issue. Apparently, the correspondence he sent to Alyse and the Clinic has assisted the ASA in requesting a hearing on whether the husband is mentally fit to stand trial. If he is found unfit, our client won't have to testify in another criminal trial.

LAF, our partner in the de Diego Clinic, provided its usual invaluable assistance. LAF staff attorney Myka Held said, "This is a case we may not have taken without pro bono help. Thank you so much to our partners at Katten."

Kyle Finnegan Wins Very Favorable Settlement in Housing Discrimination Suit for Chicago Single Mother

In September 2016, Latonya English was searching for a new apartment for herself and her three children. She responded to a Trulia listing for an apartment in the Chicago neighborhood of Kilbourn Park, and asked the rental agent about Section 8 vouchers. The rental agent replied that the landlord was not interested in leasing to Section 8 voucher holders because they had bad credit and would not take care of the unit, which is illegal source of income discrimination in housing under Chicago City Ordinance. The [Chicago Lawyers' Committee](#) assisted Ms. English with filing a complaint with the Chicago Commission on Human Relations, but the landlord and rental agents engaged an attorney who sought to have Ms. English's complaint denied. The Chicago Lawyers Committee referred Ms. English to Katten for further representation, and Litigation associate **Kyle Finnegan** took on Ms. English's case.



Kyle drafted a reply to the landlord and rental agent's response. But, the biggest issue with the case was the proof of damages, as Ms. English had readily obtained substitute housing. However, the reply drafted by Kyle secured Ms. English a finding of "substantial evidence of discrimination" from the Commission, which would have allowed Ms. English's complaint to proceed to a hearing, where the prevailing complainant may seek attorneys' fees. Kyle used the momentum of that favorable finding to negotiate an \$8,000 settlement for Ms. English, which is double the \$2,000-4,000 in damages that the Chicago Commission on Human Relations typically awards for housing discrimination complaints. He was also able to secure agreements by the rental agency to post "Section 8 Accepted" in their online ads and to have the rental agent undergo a day of training on housing discrimination.

Julia Mazur Helps Achieve Grant of Certificate of Innocence for Pro Bono Client

In May 2017, Intellectual Property associate **Julia Mazur** helped win a truly remarkable victory for her pro bono client Adam Gray, who was released from prison after serving 24 years of a life sentence. Adam was arrested when he was just 14 years old for allegedly starting a fire in a two-flat that killed two residents. He falsely “confessed” after seven hours of interrogation by the police, during which time he had no access to an attorney or any family member. In addition, the state’s case relied heavily on police and fire department experts, who testified that evidence indicated that an accelerant was used to start the fire. However, after developments in arson science, several preeminent experts agreed that not only was accelerant not used, but there was no evidence that an arson had even occurred. After his release, a petition for a Certificate of Innocence was filed. A little more than a month ago, the judge entered an agreed order, granting a Certificate of Innocence to Adam. This is a significant step, as the certificate effectively expunges his record, which will help him attain a job and begin moving forward with his life.

Chicago Attorneys Team Up To Create the Windfree Foundation

Chicago Litigation partner **Patrick Harrigan**, Corporate associates **Timothy Knudsen** and **Iza Marciszewski**, and paralegal **Eileen Downes** are collaborating to form a not-for-profit foundation arm of [Windfree Solar](#), a Chicago-based alternative energy company that provides solar energy solutions to residential and commercial clients. Through the new Windfree Foundation, the company will provide its solar energy products to local Chicago schools, churches and other groups and will educate recipients on the benefits of solar and alternative energy. In addition, the Windfree Foundation plans to provide solar and alternative energy solutions to victims of disaster relief, such as Hurricane Maria in Puerto Rico.



Timothy Knudsen Argues for Political Asylum for Gay Russian Immigrant

Corporate associate **Timothy Knudsen** assisted an asylum candidate at his interview with the Office of United States Citizenship and Immigration Services. A Russian native, this man had been persecuted for being gay in his home country. Having fled to the United States, he had been waiting for the interview for over two years, during which time Tim had prepared a large application of files related to the client’s life and why he deserved political asylum in this country. With the interview now finalized, they are awaiting results. In the meantime, Tim has assisted the client in getting authorization to work legally in the United States.

Support for the Community

David Halberstadter and Los Angeles Colleagues Keep FMF and Ms. Magazine on Path to Publishing Excellence

Since 2005, Los Angeles Litigation partner **David Halberstadter** has read every issue of [Ms. magazine](#) from cover to cover, thanks to his pro bono efforts for the publication’s founder, the [Feminist Majority Foundation](#) (FMF). As part of his counsel to this longtime client, David ensures that the magazine—and its blog sites—can support every factual assertion that it plans to print about every person mentioned in the issue. If it cannot, he makes recommendations on creative ways in which the story can be revised to reduce the risk that a claim will be asserted.

What this means, however, is that David knows more about the issues of importance to women globally than he ever could have imagined—which never fails to surprise his wife and two adult daughters. He also takes pride in being one

of the only men listed in the magazine's masthead. However, he isn't the only Katten attorney with a masthead credit. Los Angeles Entertainment and Media partner **Susan Grode** assists the publication with its negotiations and agreements for articles, artwork and the enlarging scope of their uses worldwide. She has worked with Ms. for many years on managing and protecting its enormous archive of both historic and current stories, reportage and other intellectual property, while providing guidance for use in electronic and online media. Los Angeles Litigation partner **Stacey McKee Knight** also provides labor and employment advice to both FMF and the magazine.

Katten Chicago and the NIJC Host DACA Renewal Clinic

The US Citizenship and Immigration Services resumed accepting Deferred Action for Childhood Arrivals (DACA) renewal applications from certain DACA recipients after a federal court order for a preliminary injunction related to the rescission of DACA was granted. The Department of Justice asked the US Supreme Court to directly review the California district court judge's decision. The US Supreme Court rejected doing so, leaving the case to be heard by the Ninth Circuit Court of Appeals.

Given the limited window to apply for DACA renewal while the preliminary injunction remains in effect, the [National Immigration Justice Center](#) (NIJC) and Katten took the opportunity to host a DACA renewal clinic at Katten's Chicago Office on February 15. The first hour of the clinic was reserved for attorney training and a Know Your Rights presentation for DACA recipients. During the remaining three hours, Katten attorneys met with 10 clients, assumed representation and subsequently filed their DACA renewal applications. The Katten team consisted of director of pro bono services **Jonathan Baum**, Corporate partner **Chad Doobay**, special counsel **Megan Kelly**, Commercial Finance associates **Jaime Willis** and **Jonathan Levine**, Intellectual Property associate **Yashas Honasoge**, Real Estate associate **Marie Salter**, and Litigation associates **Abimbola Oladokun** and **Nicole Saleem**.

Amazing Turnout for Charlotte Pro Bono Program

In February, Litigation partner and Charlotte office pro bono chair **Richard Farley** organized a program to speak to our Charlotte office attorneys about legal aid opportunities in the area. Twenty-five out of the office's 52 attorneys attended! Firm chairman **Roger Furey** wrote to the Charlotte attorneys: "Congrats and thank you, Rich, and to all who participated. This is very important for the firm, and it is wonderful to hear when something like this comes together in such a successful way."

Katten Partners With Embarc To Mentor Chicago Public School Students

A group of Katten's Chicago attorneys and staff, led by Government and Public Finance partner **Chad Doobay**, welcomed 25 Chicago Public School students for a two-hour "speed-mentoring" session as part of a program developed by [Embarc](#), a Chicago-based nonprofit educational organization that collaborates with more than 250 community partners to provide experiential learning opportunities for at-risk high school students. The mentoring sessions were designed to give both students and attorneys the opportunity to engage in meaningful dialogue. At each "station," both the attorneys and the students were given a list of questions to pose to one another, with the end goal of having students walk away inspired and further prepared for college and career success.



The effectiveness of the Embarc program is impressive, with an average 97 percent high school graduation rate, 85 percent college enrollment rate (including 2- and 4-year programs), and 97 percent overall postsecondary success. "It is a pleasure to partner with Embarc in the great work they do," said Chad. "The students are an inspiration . . . it will be exciting to see all the wonderful things they will accomplish."

Washington, DC Attorneys Join in Assisting 72 Clients at DC Bar Pro Bono Program Advice and Referral Clinic

On Saturday, February 10, a team of Katten attorneys from the Washington, DC office, along with other volunteers, helped 72 walk-in clients with a wide array of legal matters at the Northwest location of the [DC Bar Pro Bono Program Advice and Referral Clinic](#) (another 46 clients were assisted at the Southeast location). The Katten team included Corporate partner **Christopher Locke**, Structured Finance and Securitization partner **Seth Messner**, Tax Planning associate **Sarah Ma**, Litigation associate **Caitlin Munley**, Real Estate associate **Elizabeth Yaeger** and billing coordinator **Carla Blake**. Without great volunteers like the people above, the clinic would not be able to provide much-needed legal services in the local community. Katten's next volunteering session will be on **Saturday, May 12, 2018**.

Timothy Cross Brings the Law to Life for Chicago-Area Students

While students often perceive conflicts as being between good and evil or right and wrong, many times in our democracy, the most difficult conflicts are between two goods—two values that many Americans share, such as liberty and security. Real Estate associate **Timothy Cross** helped students delve into this mystery when he participated in a [Lawyers in the Classroom](#) program entitled, “Sacred Blade at the Heart of School Dispute.” In this lesson, students grappled with a school-based dilemma in which freedom of religion conflicted with safety; the lesson was based on an actual case in California and is similar to a case that went all the way to the Canadian Supreme Court. Tim was one of over 600 attorney volunteers who provided this outstanding civic education experience to elementary and middle school students throughout the Chicagoland area. Tim's work, and that of other Katten attorneys done through the [Constitutional Rights Foundation of Chicago](#), was recently highlighted in their newsletter.



Andrew Sprogis Addresses Easterseals Groundbreaking Gathering for New Gymnasium

[Easterseals](#) has a number of franchises that do tremendous work for people with disabilities. In Chicago, their franchise serves special needs children in Chicago, Tinley Park and Rockford through three schools dedicated to serving autistic children on a full-time basis (more than 300 enrolled as of today). They also assist in running a large portion of Chicago and south suburban Head Start and Early Head Start programs.

As chairman of the board of Easterseals in Chicago, Katten's chief innovation officer **Andrew Sprogis** recently spoke to a gathering of more than 100 people when Easterseals broke ground for the addition of a gymnasium to its Therapeutic School and Center for Autism Research in the Illinois Medical District. The gymnasium is set to open later this year. If you are interested in visiting any of the schools, please contact Andy for a tour.



Bianca Wright Responds With Help to First Responders

Once a month Chicago law clerk **Bianca Wright** spends a Saturday working with the Chicago Bar Association, helping to provide essential legal documents free of charge to our nation's first responders through the [Wills for Heroes Foundation](#). This includes helping with wills, living wills and powers of attorney. She describes her most recent experience as “undoubtedly the most meaningful,” as she had the opportunity to help a family friend. For Bianca, participating in this important program brings peace of mind knowing that first responders have access to this critical coverage should the worst occur.

Honors

Michael Callahan Honored as LAF's 2017 Katten de Diego Legal Clinic Volunteer of the Year

In 2017, Health Care partner **Michael Callahan** spent untold hours helping to secure a disabled client's Supplemental Security Income benefits (see December 2017 issue of [Katten Cares](#)). For that effort, Michael received the LAF's 2017 Katten de Diego Legal Clinic Volunteer of the Year award. “Your time and effort on this case were impressive,” said Katherine Shank, deputy director of LAF, “and led to a victory that our client certainly wouldn't have been able to achieve on his own.”



 **Volunteer of the Year**
Michael Callahan
Katten de Diego Legal Clinic



Michael secured the Supplemental Security Income benefits for a disabled client. He was truly “all in,” spending the time that was needed to help someone with a complicated legal problem – over 80 hours in total. He reviewed several hundred pages of medical and educational evidence, prepared the client and his mother for testimony at a hearing, and represented the client before an administrative law judge.

 LAF Equal justice starts here.

Joseph Hoffman Honored for 20 Years of Volunteering by Youth Believing in Change

Corporate partner **Joe Hoffman** and his family are being honored for 20 years of volunteerism with Dallas' [Youth Believing in Change](#) (YBC). YBC provides transportation and after-school and summer programming for at-risk elementary school students in Vickery Meadow, one of the most densely populated areas of Dallas and home to many immigrants and refugees. YBC is a reliable and safe place for more than 200 students to receive a hot meal, engage with tutors, read with volunteers, play games, sing in the choir and do Bible study.

Joe, his wife and two daughters have provided a variety of volunteer and fundraising support for YBC for more than 20 years. Joe has been involved as YBC's outside general counsel, attending board meetings and providing ongoing pro bono counseling. Joe's wife and daughters (now ages 17 and 21) have read to the kids, taught them volleyball and other games, and for many years collected stuffed animals to be given to the kids as rewards for special achievements. Joe and his family will be honored for their volunteerism and support for this community on April 19 at the YBC Evening of Change.

Appointments

Frank Arado Named Council for Children’s Rights Board Member

Real Estate partner **Frank Arado** was recently named to the board of directors of the [Council for Children’s Rights](#) in Charlotte. The Council helps to improve the lives and futures of children in Mecklenburg County by defending and championing their right to be supported and treated with fairness, compassion and respect, regardless of personal obstacles.

Fundraising for the Public Good

Chris Olsen Set To Bike 545 Miles for Los Angeles LGBT Center

Chris Olsen, Litigation services counsel, will be biking 545 miles from San Francisco to Los Angeles over a seven-day period in June to raise funds for the life-saving services offered by the [Los Angeles LGBT Center](#). This event is extremely popular on the West Coast and has been a favorite of many of our employees who actively support the firm’s diversity programs. Many Katten attorneys and staff in Century City will be sponsoring Chris as he treks down the coast to support the Center, which offers world-class HIV education, prevention and treatment services to those in need. We are very proud of Chris and his commitment to complete this worthwhile journey.



Jaime Willis Leads Third Annual America Needs You Winter Benefit

On March 2, Chicago Commercial Finance associate **Jaime Willis** welcomed over 300 attendees to the Third Annual [America Needs You](#) (ANY) Winter Benefit, of which Katten was a sponsor. As chair of the ANY Young Leadership Board, Jaime has led the organization’s efforts to raise funds and recruit four classes of mentor coaches. ANY provides transformative professional development and career readiness mentoring to low-income, first-generation college students.

Katten Los Angeles Runs for Justice

On March 17, the Century City and Downtown LA offices participated in the 15th Annual Run For Justice to raise funds for [Public Counsel](#)—the largest pro bono public interest law firm in the country. The 5K/3.3 mile fun run/walk is held annually at Dodger Stadium and takes place in conjunction with the Sketchers Los Angeles Marathon.

Spearheaded by Litigation partner and Public Counsel board member **Joel Weiner**, together with California director of administration **Tanya Russell** and administrative services manager **Shelley Wissot**, Katten once again led the local legal community with over 53 team members participating in the event. In addition to being an official sponsor of the event, Katten has raised to-date more than \$3,900 through individual team members and an in-office fundraising event. Go Team Katten!



From a Grateful Client

From David Ebert and Joel Litvin, co-founders of the [Animal Defense Partnership, Inc.](#), to Intellectual Property partner **Karen Artz Ash** and Corporate partner **David Kravitz**:

“Joel and I want to thank you for your contribution to the success of ADP and its clients in 2017. The Animal Law Committee and Return to Freedom have been effusive in their gratitude and thanks for the superb services, counsel and guidance you provided. And we, of course, are proud to be collaborating with you and gratified to know that our clients are in such capable hands.”

Please send comments, suggestions and news about interesting pro bono cases and matters you’ve been involved with, as well as any non-legal community service work you’re doing, to jonathan.baum@kattenlaw.com.

