



# PRO BONO REPORT 2003

**MINTZ LEVIN**

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC

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**Peter A. Biagetti**  
Managing Partner

**O**n behalf of the Management Committee and the Pro Bono Committee, I am pleased to announce that Mintz Levin will deepen its commitment to providing pro bono legal services by joining the nation's top law firms in becoming a signatory to the American Bar Association's *Pro Bono Challenge*.

The *Pro Bono Challenge* was instituted by the ABA in 1992 to spur large law firms to more effectively address the legal needs of their communities' most vulnerable citizens. Despite the hard work of many such firms, too many of our citizens still lack access to legal services that address their most basic needs.

Building on our firm's long tradition of pro bono work, we are now poised to do even more by increasing the amount of pro bono time that we annually record to at least 3% of the firm's total billable hours. Ideally, our per attorney average will be at least 60 hours of pro bono work each year. Our work will continue to include the delivery of legal services to persons of limited means, and those whose civil rights have been curtailed, as well as to charitable, religious, civic, community, governmental and educational entities serving the disadvantaged. Additional contributions will now count toward our 3% goal, such as the six month litigation rotation in the Middlesex District Attorney's office, externships in the public defender's office, providing legal services to the board of a non-profit, or serving as a court-appointed arbitrator or mediator in dispute resolution involving a low-income individual or an entity of limited means.

The firm's current pro bono program brings distinction, pride and a valuable sense of shared accomplishment to our firm. By expanding this effort, the firm reaffirms its commitment to helping those people most in need and broadens the chances we have to work together toward that rewarding goal.

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*Pro bono work has flourished in the Boston office over the past year in a variety of different areas. Attorneys have achieved notable victories in political asylum and child custody cases and have aided rape survivors, homeless individuals, low-income entrepreneurs, disabled children and nonprofit corporations. Each section of the Boston office has contributed, including the real estate, employment law, health care, benefits and corporate departments. We look forward to the challenges that the coming year will bring.*



For her countless contributions to the firm's pro bono program during her decade of service to Mintz Levin, **Sue Finegan** (at left) was presented with an award of recognition in December 2003. **Richard Mintz** is shown at right as Sue accepts the award.

## Domestic Violence Project

*Over the past fourteen years, Mintz Levin attorneys have successfully represented hundreds of clients in trial courts throughout the Commonwealth, as well as Massachusetts's appellate courts. One of the primary objectives of the Domestic Violence Project is to provide pro bono legal representation to victims of domestic violence who may not have the resources to represent themselves effectively in restraining order cases. Mintz Levin works in collaboration with the Greater Boston Legal Services, the Legal Advocacy & Resource Center, Inc. and the Women's Bar Foundation in an effort to obtain Civil Protection Orders for victims of domestic violence.*

Throughout the past year, attorneys and paraprofessionals have successfully secured numerous restraining orders for victims and have defended numerous clients against frivolous orders brought against them by their abusers. Those who have participated recently include: **Kimberly Adamo, Lauren Benowitz, Keith Carroll, Christine Cloonan, Colleen Connors, Sue Finegan, Christina Gagne, Lisa Glahn, Daria Niewenhaus, Paul Poth, Gregory Siczekiewicz, Wendy Silverman, Marna Terry, Benjamin Tymann and McKenzie Webster.**

*"I have so much for which to thank you. The affidavit was perfect too! You said exactly what needed to be said. You are like the mythical Birds of Rhiannon, calming the troubled traveler until he or she arrives safely home. Your brilliant legal mind became my songbird's melody, speaking for one who couldn't. Like the myth, you are also filled with compassion. I saw that immediately in you and your colleague, Lauren Benowitz. I could not have dreamed of a finer team than the two of you. Thank you for being my attorney and my voice."*

Letter from DVP client to **Lisa Glahn** and **Lauren Benowitz**

## Battered Immigrant Women's Project

It took a woman from Albania almost seven months to go through the immigrant visa process in Albania and obtain authorization to enter the U.S. as a conditional permanent resident to re-join her husband after their wedding and honeymoon. However, it only took her husband two weeks to attempt to kill her, causing her to flee her new home for refuge at a cousin's in Boston. She had been granted conditional permanent resident status when she entered the U.S., and her marriage effectively ended before the two years needed to remove the condition from her permanent resident status. An application was filed with the Citizenship and Immigration Services (CIS) under the regulation that permits battered women who enter a marriage on a good faith basis to become permanent residents by obtaining a waiver of the condition of having been married for a minimum of two years. We assisted the client through the divorce proceedings commenced by her husband and ultimately secured approval from CIS of her application to waive the two-year marriage requirement. She was very happy when she learned that she could remain in the U.S. indefinitely as a permanent resident and eventually apply for U.S. citizenship. **Kimberley Best** worked on this case.

## Political Asylum and Immigration

*Mintz Levin's dedicated team of attorneys and paraprofessionals has continued their commitment to representing the interests of foreign nationals seeking legal status and refuge from persecution. In addition, the Immigration Section at Mintz Levin is excited to report a new pro bono externship with the Political Asylum/Immigration Representation (PAIR) Project. Marisa Howe will be spending half of her time in the coming year doing political asylum cases, including affirmative petitions and removal proceedings. Marisa, a May 2003 law school graduate, is a new associate in Mintz Levin's Boston office.*

**Grant Sovern** was successful in obtaining political asylum for his client from Cameroon. The client was a political activist for the Social Democratic Front party, which opposed the ruling Cameroon People's Democratic Movement (CPDM) party. He was persecuted for political activities such as door-to-door voter registration, organizing political rallies, and obtaining voting cards for his fellow opposition party members. The persecution included multiple unjustified arrests, detentions, torture, and burning the applicant's home. Mintz Levin is currently working on obtaining legal status for the applicant's family to come join him in the U.S.

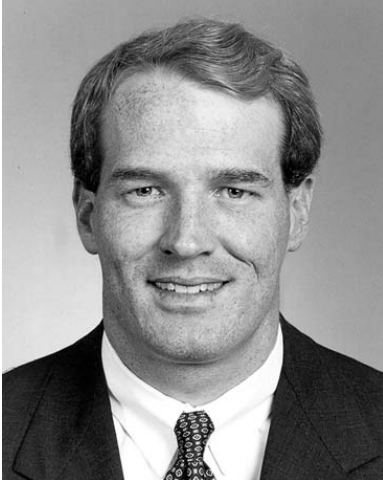
**Susan Cohen** and **Tullio Capasso** are assisting a Rwandan woman whose application for political asylum in the United States was not approved. The judge granted voluntary departure to Uganda because she was presumed to be a citizen of both Rwanda and Uganda. However, the client has never renounced her Rwandan citizenship nor formally obtained Ugandan citizenship, therefore making her eligible for asylum in the United States. Susan and Tullio filed a Motion to Remand to the Board of Immigration Appeals, which was granted on the basis of our compelling evidence. Our attorneys recently submitted a Motion to Grant Asylum given the evidence proving the client's Rwandan citizenship. They are preparing to represent her at the March 2004 hearing.

**Susan Cohen** and **Tullio Capasso** are also awaiting judgment on another political asylum case concerning a Ugandan client who was persecuted by the current government as a result of his political opinion. The applicant was arrested for serving as a campaign agent for Dr. Kiiza Besigye, a candidate in the 2001 presidential election. While in detention, the client was brutally beaten to such an extent that he lost vision in one eye.

**Tullio Capasso** and **Grant Sovern** are assisting on an asylum application for a woman and her three children from the Democratic Republic of Congo (DRC). The client's husband was imprisoned and tortured by the current government for having business ties to Rwanda and allegedly being a sympathizer of that country. After she was arrested and tortured for her husband's activities, she fled the country, fearful of her family's safety. Her husband recently escaped from the DRC and arrived in Boston. Our attorneys are currently drafting his affidavit to support the family's case.



Many in the firm have contributed to the betterment of political asylees' lives in the U.S. Some of these individuals are pictured above. Back row from left to right: **Kimberley Best** and **Grant Sovern**. Middle row from left to right: **Akshat Divatia**, **Veenita Kaushik**, **Marisa Howe**, **Tullio Capasso** and **Christina Gagne**. Front row: **Bill Coffman** and **Susan Cohen**.



For several years, **Scott Ford** has deftly managed the firm's participation in the Lawyer's Clearinghouse for Affordable Housing and Homelessness Project. Scott also became a Pro Bono Committee member in late 2002.

### Lawyer's Clearinghouse for Affordable Housing and Homelessness

*Founded over ten years ago by the Boston Bar Association and Massachusetts Bar Association, the Lawyer's Clearinghouse offers legal services to homeless individuals and non-profit organizations that focus on issues of housing and homelessness. For a number of years, the firm has participated in Clearinghouse legal clinics at Boston homeless shelters. Working with the Clearinghouse is a challenging and rewarding experience that provides valuable legal resources to those who need it most.*

In January and June 2003, **Scott Ford**, **Michelle Leinbach** and **Lauren Benowitz** coordinated intake interviews at the Pine Street Inn and St. Francis House legal clinics. The interviews were completed by a group of attorneys and paraprofessionals and resulted in a number of new clients. Pursuit of these clients' cases involved benefits claims, criminal surrenders and, increasingly, immigration matters. Individuals who participated in the clinics included **Breton Leone-Quick**, **Marna Terry**, **Rick Sousa**, **Dan Ward**, **Daniel Trinkle**, **Lyzette Bullock**, **Richard Holtz**, **Anne Sargent**, **Lisa Tenerowicz**, **Christine Cloonan**, **Linda Port**, **Meredith Leary**, **Juliet Burley Mason** and numerous summer associates.

#### RECENT SUCCESS

A Lawyer's Clearinghouse client came to Mintz Levin in the summer of 2003 through the St. Francis Street legal clinic. The client is a trained professional who was living a solidly middle class, hard-working life, when post-traumatic symptoms reemerged a year ago, causing her to lose everything for which she had worked so hard. At the time Mintz Levin became involved, the client had been living in a shelter for over a year, and her goods—furniture, clothes, sentimental items—were being held hostage. On September 11, 2003, through the incredible generosity of a moving company and the hard work of **Sarah Herlihy**, **Helen Gerostathos**, **Jean Healey**, **Marna Terry** and **Lyzette Bullock**, the client was given back her goods and subsequently settled into a brand new apartment in the Boston area. The Mintz Levin team secured the return of the client's goods to a storage facility in New Hampshire and then arranged for free moving services for an entire day to help the client retrieve her possessions.

*Additional completed and ongoing cases include the following:*

#### IMMIGRATION

- **Daniel Trinkle** and **Lyzette Bullock** obtained information on the status of an immigration application filed by the client requesting that her family be permitted to come to the United States from Haiti.
- **Lisa Tenerowicz** and **Christine Cloonan** obtained information regarding the status of a client's political asylum and work authorization applications. The client has since obtained work authorization.
- **Linda Port** and **Lauren Benowitz** advised a client regarding the possibility of extending a tourist visa.

#### PERSONAL AND FINANCIAL MATTERS

- **Breton Leone-Quick** and **Marna Terry** assisted a client in reinstating his driver's license.
- **Omar Khondker**, **Brian Barry**, **Jonathan Simpson** and **Jane Luther** represented a client with regard to outstanding fines and loans. **Omar**, **Brian**, **Jonathan** and **Jane** assisted the client in transferring his case from one court to the court more convenient for the client and helped him to set up a payment program.

*continued on next page*

- **Jennifer Stark, Hemanth Gundavaram** and **Kwabena Abboa-Offei** assisted a client with his credit history. The matter involves researching the reason that certain reports indicate that the client owes money to creditors. The team will also make efforts to resolve the client's credit problems.
- **Ben Tymann** and **Ann Margaret Earnes** are researching certain regulations to determine a client's rights for compensation and the procedure to follow with regard to claim compensation.
- **Jennifer Stark** and **Hemanth Gundavaram** assessed a client's eligibility to adopt a child from the Department of Social Services, considering his criminal record.
- **Ben Tymann** and **Ann Margaret Earnes** represent a client on an adoption case. Ben and Anne are determining the relevant procedure and requirements.

#### CRIMINAL MATTERS

- **Sarah Herlihy, Jean Healey** and **Marna Terry** are exploring the legality of court sentences received by a client. The client served a sentence for a criminal matter and is currently on parole and probation.
- **Helen Gerostathos** and **Sara Bollerup** are researching the standards in Massachusetts for early termination of parole to determine further action in a client's case.
- **Linda Port** and **Lauren Benowitz** investigated the state requirement to expunge criminal records for a felony in order to determine if a client's records could be sealed.
- **Daniel Trinkle** and **Lyzette Bullock** assisted a client in resolving an outstanding warrant for her arrest. Daniel and Lyzzette contacted the Court about its procedures, arranged transportation for the client to the District Court and facilitated the transition of the case to a public defender.

#### SSI BENEFITS

- **Rick Sousa** and **Dan Ward** represented a client who was denied social security benefits. **Rick** and **Dan** inquired into the status of the client's request for reconsideration with the social security office, collected medical records and spoke to the client's counselors about his personal history and obtaining a new medical analysis of the client's condition.
- **Richard Holtz** and **Anne Sargent** represented a client in a social security benefits matter related to obtaining retroactive benefits. **Richard** and **Anne** determined the timeline regarding the client's disability payments, obtained relevant information from the Social Security Administration and investigated other pertinent information.



Project Analysts **Christine Cloonan** (at left) and **Lauren Benowitz** serve as coordinators for several of the firm's established pro bono projects such as the Domestic Violence Program, Rape Survivors Law Project, Family Advocacy Program and Lawyer's Clearinghouse. Christine and Lauren, along with Project Analyst **Veenita Kaushik** and Community Service Coordinator **Jennifer Nelson**, contributed to this report.



Pictured above (left to right): **Ken Sullivan, Tania Rodrigues, Linda Rockett, Rebekkah Weiss, Enoh Eboag** and **Kevin Meagher**. These individuals and several others in the firm have contributed to the successful establishment and operation of many business ventures for low-income entrepreneurs in the Boston area.

Several attorneys, including **Ken Sullivan** and **Joe Vittiglio** have received heartfelt notes of thanks for the guidance they have provided to EJP clients. **Holly Nguyen** received a particularly detailed evaluation from her client, which stated the following:

*“I did not expect to receive the wonderful and professional service I got from the Economic Justice Project. Bravo!! Keep up the good work. Ms. Nguyen was always patient and took time to explain things to us. She made follow up calls to make sure we understood every step of the process. We are very proud of the assistance we got.”*

## Economic Justice Project

Mintz Levin continues to support the efforts of the Economic Justice Project (EJP) by staffing clinics, screening matters and taking on numerous cases.

In May 2003, **Kevin Meagher, Sonia Guterman, Rufina Garay, Joe Vittiglio, Ken Sullivan** and **Linda Rockett** interviewed clients at an EJP clinic, allowing for low-income entrepreneurs from the Boston area to meet with attorneys and address specific concerns regarding starting or expanding a business. **Navjeet Bal** oversaw the planning for this clinic, and **Rebekkah Weiss** helped with its organization. **Navjeet** and **Kevin** also served on the EJP’s Screening Committee over the past year.

**Joe Vittiglio** enabled a client to keep his business, providing telecommunications services to the Spanish-speaking community, in operation. A telecommunications company presented the client with an onerous supply contract. To the client’s delight, Joe successfully negotiated a favorable agreement between the client and the telecommunications company.

**Rick Sousa** represented three Portuguese-speaking Brazilian immigrants in connection with the formation of a new retail and wholesale bakery company in Framingham, Massachusetts, named The Magic Oven Company, LLC. **Rick** worked with the founders to form the company, purchase certain restaurant assets (including an assignment of a valuable lease) from a local restaurant, obtain local and state licenses for the business, and assist with an Equipment Line of Credit from ACCION USA, Inc. The clients are very appreciative of **Rick’s** assistance with all of these matters.

**Brie Steingarten** succeeded in obtaining 501(c)(3) tax exempt status for a Massachusetts corporation providing mentoring relationships to foster and adopted children. She also worked with the client to develop and prepare mentor/mentee policies and guidelines and mentor screening requirements.

**Kenneth Sullivan** and **Rahul Kalke** recently assisted Economic Justice Project clients who made a substantial financial and personal investment in a partnership that operates a small food service business in the Boston area. Though the business was successful, for personal reasons the clients needed to leave the partnership and wanted to recover all of their initial investment into it. **Kenneth** and **Rahul** were able to help the clients successfully accomplish both of these objectives by negotiating with the clients’ other partners, and by drafting and executing the necessary documents.

**Kenneth Sullivan** and **Bram Shapiro** incorporated a client’s first business by drafting an Operating Agreement and meeting with the two principals to review and revise the document to fit their individual needs. The clients will be reviewing the Agreement and will meet with **Kenneth** and **Bram** again to finalize it.

**Holly Nguyen** worked with Kilimanjaro African Cuisine to incorporate the company, evaluate a lease and obtain all necessary licenses. The client was very pleased with the work performed by **Holly** and stated that **Holly** “did more than I expected of her.”

*“I wanted to share with you the evaluation that **Holly Nguyen** received from a client that she recently represented for the Economic Justice Project. I was so moved by the way the client described **Holly’s** work and dedication that I thought it was worth sharing. When I receive evaluations like this, I get a good feeling about the kind of work that we are accomplishing. Thank you for sharing your fabulous attorneys with the Lawyers’ Committee.”*

Letter from Jill Feldman, Staff Attorney for the Lawyers’ Committee for Civil Rights, to **Navjeet Bal**, director of the firm’s participation in the Economic Justice Project

## Family Advocacy Program

*The Family Advocacy Program (FAP) is an innovative program of the Boston Medical Center's Pediatrics Department designed to improve the health status of its low-income patients through direct legal advocacy in a community health care setting. Over the past three years, Mintz Levin attorneys have worked closely with physicians to achieve amazing results for families referred to us by FAP. Numerous FAP cases, focused on legal issues such as social security, benefits, housing and special education needs, have been brought to resolution with the dedication and commitment of Mintz Levin attorneys and paraprofessionals.*

**Kristen Scammon** and **Larry Schoen** successfully assisted a family with a social security (SSI) benefits case. An 11-year-old boy was diagnosed with behavioral and physiological disorders including Attention Deficit Hyperactivity Disorder in 1999. Although the initial request for SSI, prepared solely by the child's guardian, was denied, the child's psychiatrist and therapist felt that he met the requirements for benefits and were willing to sign an affidavit stating such. On February 21, 2003, **Larry** and **Kristin** attended the hearing, at which time the Administrative Law Judge gave the family's appeal thorough consideration. In March 2003, **Larry** received notice of the Social Security Administration's decision in favor of his client, finding the child disabled under the rules.

Thanks to lead counsel **Lisa Glahn**, an FAP client won a political asylum trial on March 27, 2003, before an Immigration Judge in Boston. The client was politically active with an opposition party in his native country of Haiti, and, as a result, was tortured by supporters of the ruling party. He was able to escape to the United States, but, due to poor counsel, the client lost his original bid for asylum. Mintz Levin then handled the client's appeal. **Sue Finegan**, **Michelle Leinbach**, **Christina Gagne**, **Mary Santora**, **Grant Sovern**, **Stephanie James**, **Marie Bernadeau**, and **Marie Jezequel** assisted **Lisa** in preparing the case. After a seven-hour hearing, which included testimony from the client and several fact and expert witnesses, the judge ruled from the bench, approving the client's asylum.

**Sarah Herlihy** successfully assisted an FAP client in appealing an Administrative Law Judge's denial of SSI benefits for her son, who suffers from Attention Deficit Hyperactivity Disorder and Post-Traumatic Stress Disorder. Although the appeal was denied due to medical non-compliance, **Sarah Herlihy** assisted the client in reapplying for SSI benefits after twelve full months of medical compliance. Three months later, **Sarah** received a fully favorable decision from the Social Security Administration.

**Elizabeth Hansen** and **Lauren Benowitz** have been assisting a family with a social security benefits matter. The client's son was receiving Social Security payments due to his epileptic seizures. Once the child's doctors were able to control his medical condition, the client wrote to the Social Security Administration in order to discontinue benefits. Shortly after, the client received notice from the Social Security Administration that she had been over-paid. After weeks of preparation, **Elizabeth** appeared before an Administrative Law Judge on behalf of the client and is currently awaiting the judge's decision.

*"In addition to FAP's staff resources, the program relies on the pro bono resources of Boston law firms to address the needs of the Boston Medical Center patient-family population. For example, FAP has enjoyed a long-standing relationship with **Mintz, Levin, Cohn, Ferris, Glosky and Popeo, P.C.** In 2002, FAP referred 18 cases to the firm in areas such as special education, child disability, immigration, housing, and health insurance. In one recent case, a single mother was referred to FAP by her pediatrician because her two children, both of whom suffer from severe ADHD, were denied SSI benefits. FAP referred this case to Mintz pro bono attorneys who assembled evidence and represented both children at an SSI hearing. Through Mintz's intervention, one child was granted SSI and the second child's request is still pending. In another case, a Mintz pro bono attorney helped a child whose asthma was exacerbated by his exposure to rodents in his household, negotiating with the family's landlord until he began to systematically improve the child's living conditions."*

**Boston Bar Journal**,  
September/October 2003



Pictured above is **Diane Gwin** (left), who oversees Mintz Levin's involvement with the Family Advocacy Program. Next to Diane is an FAP client who obtained political asylum through his Mintz Levin team. At right is **Thuy Wagner**, a former staff attorney of FAP.



**Helen Gerostathos and Patrick Clendenen**, pictured above, have worked diligently on several Rape Survivor Law Project matters over the past year and have produced terrific results.

## Rape Survivors Law Project

*The crime of rape remains the least reported, least indicted, and least convicted of any major felony. Through Rape Survivors Law Project (RSLP), a pro bono effort by the Boston Area Rape Crisis Center (BARCC) and Victim Rights Law Center, in collaboration with the Women's Bar Association and the Women's Bar Foundation, Mintz Levin attorneys and paraprofessionals have been assisting sexual assault survivors with a variety of civil legal needs. These needs include restraining orders, privacy rights, university and high school proceedings and negotiations with employers and housing agents. No government or non-profit legal service organization is currently charged with meeting these needs. Attorneys and paraprofessionals will work closely with BARCC, a community-based organization with 26 years of experience providing free counseling, advocacy and educational services to women, men and adolescents who have been raped. The project is coordinated by **Lisa Glahn** and project analyst **Christine Cloonan**. A group of Mintz Levin attorneys and paraprofessionals underwent an in-depth training program in November 2002 and will continue to receive significant support and supervision from the staff attorneys at the Victim Rights Law Center, a legal arm of BARCC.*

Since embarking on the RSLP over two years ago, Mintz Levin attorneys and paraprofessionals have worked on 13 cases. Some of the most recent activity includes work on the following matters.

**Patrick Clendenen, Helen Gerostathos and Christina Gagne** helped a recent high school graduate obtain protection from her two attackers. After pleading guilty several years ago to various charges including rape, kidnapping, assault and battery and intimidating a witness, the perpetrators were sentenced to serve a year of probation and to register with the Sex Offender Registry Board. Over the past year, after completing their probationary period, the offenders began to harass the client and her family both at the client's school and in her community. Through the efforts of the Mintz Levin team, the client was able to secure a private agreement with the offenders' counsel ensuring that the two would stay 50 yards away from the client at all times. The client prepared a victim impact statement with the assistance of her team, and this statement was used by the Sex Offender Registry Board in classifying one of the perpetrators as Level 2, which calls for him to register with the police departments in his home and workplace areas so that his information will be made public to those members of the community who request it. The Board will also use the victim impact statement when deciding on a classification for the second offender this fall. This past spring, the client was able to enjoy her senior prom and high school graduation after the team succeeded in obtaining a letter from the school superintendent stating that the school would rigorously enforce a stay away order with regard to the two offenders. The client is now successfully working part-time and settling into her first year of college. Based on issues in this case, **Patrick** and **Helen** are now working on drafting curative legislation.

**Keith Carroll, Io Cyrus and Christina Gagne** assisted a sexual assault victim who sought to prevent her attacker from coming near her. Initially, the team worked to prepare the client for a 209A restraining order hearing. Rather than testify about the actual assault in open court, however, the client decided in the end to enter into a private agreement with the offender. The agreement included provisions that required the offender to stay 100 yards away from the client, her home in another state, and her college campus. After years of living in fear, the client was satisfied with the outcome of the case and her newfound ability to leave her home without fear of being approached by the offender.

**Breton Leone-Quick** is assisting a client with privacy matters relating to the publication of defamatory materials by the assailant after the assault, and has also been involved in the criminal investigation and prosecution of the assailant.

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**Geri Haight** assisted the Victim Rights Law Center by conducting jurisdictional research on the issue of whether the victim of a crime must be produced for testimony at the preliminary hearing. **Geri's** research demonstrated that while some jurisdictions have exercised discretion to prohibit the defendant from calling the victim to testify at the preliminary hearing, courts in other jurisdictions have enforced subpoenas and compelled victims to testify at such hearings. **Geri's** research aided the Victim Rights Law Center in a case in which the court quashed the subpoena and prohibited the defendant from calling the victim as a witness at a preliminary hearing.

Other attorneys, such as **Lisa Tenerowicz**, **Mo Cowan**, **Paul Poth**, **Deb Daccord** and **Nell Ma'luf** are also working on cases for the project.

## Civil Rights

Attorneys and summer associates continue to provide valuable assistance to the Human Rights Campaign (HRC), an organization that advocates for gay, lesbian, bisexual and transgender equality. Mintz Levin attorneys provided strategic advice on, as well as research and analysis of, the Federal Marriage Amendment, a proposed constitutional amendment that would restrict "marriage" to a union between a man and a woman. Mintz Levin attorneys have continued to provide intellectual property assistance to HRC by preparing and filing trademark applications and developing a trademark enforcement program. Mintz Levin has also assisted HRC with employment, legislative and administrative issues. Attorneys who have been active in this work include **Steve Weiner**, **Kim Marrkand**, **Geri Haight** and **Io Cyrus**.

Over the summer, the Anti-Defamation League (ADL) asked for assistance from Mintz Levin to support civil rights injunction statutes, which allow state attorneys general or private parties to seek a stay away order against a perpetrator of an act of hate, roughly equivalent to a restraining order in the domestic violence context. **Paul Wilson** supervised summer associate **Jean Healey** in conducting research to determine how common such statutes are and what forms they take. Based on what she found, **Jean** then helped develop the concept of a model civil rights injunction statute for ADL to advocate across America. **Jean** also analyzed for ADL the constitutional privacy concerns raised by a current Massachusetts legislative proposal to create a civil rights injunction database.

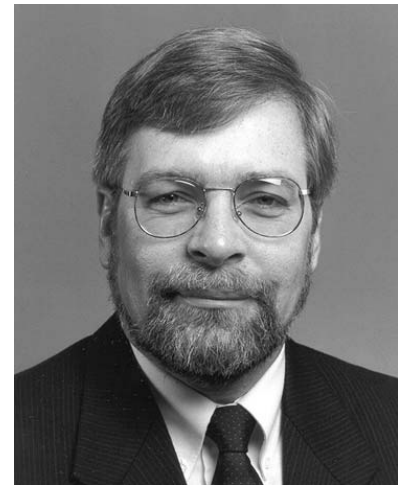
*"Years ago I took on a housing discrimination case, working with the Lawyers' Committee for Civil Rights of the Boston Bar Association. Our client was just trying to move her family into a working class neighborhood near her job in Cambridge, but a realtor told her that he wouldn't even show her the apartment she wanted because of her race. Through the joint efforts of Mintz Levin and the Lawyers' Committee, we obtained a settlement so substantial that our client used it to buy a house for her family in her hometown in Georgia—from where she sent me thank you cards at Christmas every year. Changing that family's life for the better was one of the most satisfying things I've done as a lawyer. And it changed me, too—I now serve on the Board of Directors of the Lawyers' Committee and always have a pro bono case or two on my plate."*

**Paul Wilson**, Member in the firm's Litigation section.

On behalf of the National Women's Law Center (NWLC) located in Washington, D.C., **Io Cyrus** conducted research for the NWLC's study of gender equity in Massachusetts's secondary school athletics. **Io** researched and analyzed Massachusetts's laws that may protect secondary school students from gender discrimination in athletic programs. **Io** also researched the various state and federal judicial and administrative forums in which such discrimination claims may be brought. Upon completion of her research and analysis, **Io** wrote a formal memorandum, which the NWLC incorporated into a report. **Beth Boland** supervised **Io's** work on this project.



**Io Cyrus** and **Keith Carroll** successfully advocated on behalf of a rape survivor this past year. In addition to their work for rape survivors, Keith takes on domestic violence cases and Io has worked on several projects for the Human Rights Campaign.



A longstanding champion of civil rights, Pro Bono Committee member **Paul Wilson** has successfully advocated on behalf of various victims of discrimination.



As a first and second-year litigation associate, **Paul Abbott** has contributed enormously to the firm's efforts to protect two child victims of abuse.

*"Through Mintz Levin's pro bono work, the firm provides valuable legal services to victims of domestic violence and sexual abuse whose needs would otherwise go unmet.*

*I have found my pro bono work at Mintz Levin to be among the most rewarding work that I have done as a lawyer."*

**Paul Abbott**, Associate in the firm's Litigation section

## Child Custody

Mintz Levin attorneys achieved a significant victory in the United States District Court on behalf of a mother and her two young daughters on September 16, 2003, when Judge Douglas P. Woodlock issued an opinion allowing the children to remain in the U.S. with their mother.

Two years ago, the client fled with her daughters from their home in Sweden to protect the children from sexual abuse by their father. The client's ex-husband petitioned for the return of the children pursuant to the Hague Convention on the Civil Aspects of International Child Abduction, and, in December 2001, a U.S. Federal District Court Judge ordered the client to return the children to their father in Sweden. Mintz Levin attorneys appealed the decision to the First Circuit Court, arguing that returning the girls to Sweden would subject them to risk of "physical and psychological harm," thus return of the children under the Hague Convention was inappropriate. The First Circuit overturned the District Court decision, allowing the children to stay in this country with their mother. On remand, the case was transferred to Judge Douglas P. Woodlock of the United States District Court and was re-tried in August of 2002. In September 2003, Judge Woodlock issued a detailed opinion in which he determined that returning the client's children to their father in Sweden would expose them to a grave risk of psychological harm.

Numerous current and former members of Mintz Levin worked on this case, including **Beth Boland, Francine Wachtmann, Meredith Brand Wade, Paul Abbott, Jennifer Sulla, Christina Gagne, Yana Dobkin, Susan Basham and Betsy Burnett.**

"We are all pleased with the Court's decision, and proud of the result achieved by our colleagues, present and past," said **John Markey**, Chairman of Mintz Levin's Pro Bono Committee. "The McLarey case is a great example of the firm's dedication and commitment to providing pro bono legal services in cases where people's rights and dignity are at stake."

In June 2002, Mintz Levin was voted "Child Advocate of the Year" by the Massachusetts Society for the Prevention of Cruelty to Children (MSPCC) for the work performed on this case.

\* \* \*

A team of Mintz Levin professionals, led by **Jeff Robbins** and **Jennifer Stark**, assisted a client couple in gaining physical custody of two young grandchildren after their daughter's tragic death. The children had been spirited out of state by their other grandmother after their mother's funeral. The Mintz Levin team induced the return of the children and referred the clients to an attorney in the field of family law. **Iris Nguyen** also assisted the couple with details relating to their daughter's estate.

## Real Estate

**Maryann Civitello** and **Margaret Pasulka** are representing Bird Street Community Center (“Bird Street”) in the acquisition of property as part of a larger project to construct and develop a new community center in Dorchester. By providing quality, affordable childcare and recreational, educational and developmental activities for youth and their families, Bird Street has been serving the needs of residents in the Uphams/Dudley communities of Dorchester since 1978.

The Acton Conservation Trust sought help from one of its board members, **William Hill**, with the acquisition and preservation of undeveloped land, as well as general counsel on real estate matters and corporate issues. On behalf of the Trust, **William Hill** and **Jonathan Cosco** provided advice on several proposed transactions, including the use of conservation restrictions as a means of preserving open space on private land.

**Marilyn Newman**, with a little help from **Jeff Porter**, is assisting the Island Alliance, the non-profit corporation responsible for promoting and protecting the Boston Harbor Island National Recreation Area, in connection with proposed improvements to Peddocks Island. Peddocks Island is owned by the Massachusetts Department of Conservation and Recreation (as successor to the Metropolitan District Commission). So far, **Marilyn** has represented the Island Alliance in connection with the negotiation of appropriate agreements with the Metropolitan District Commission and Spaulding and Slye, Island Alliance’s Peddocks Island Project Manager. **Marilyn** has also assisted the Island Alliance and Spaulding and Slye in the development of requests for proposals to architectural and engineering firms. Going forward, **Marilyn** will be advising the Island Alliance on contracting matters and assisting with project permitting activities. The Island Alliance (on whose Board **Jeff** sits) reports that it doesn’t know how it ever got along without **Marilyn**.

**Jim Skeffington** is representing United Leaders in negotiating and reviewing a proposed real estate lease for office space. United Leaders is a non-profit, non-partisan organization that strives to encourage political leadership in young people.

**William Hill** and **Jonathan Cosco** are assisting the Appalachian Mountain Club, a Boston-based non-profit organization that promotes outdoor recreation, conservation and education. The two are conducting property evaluation, specifically in regards to the zoning requirements of the property.

Respond, Inc., one of the oldest domestic violence agencies in the U.S., is benefiting from the work of **Meryl Epstein** and **Mary Lee Moore**, who are busy with the acquisition, development and multi-tiered financing of a property that the organization will use as a new housing shelter. Respond aims to help women and their children create options for a safer life, free from domestic violence. The agency also furthers the efforts of the larger community in an attempt to end domestic violence. Respond provides short-term housing with transitional services, safe homes, a 24-hour intake and referral line, children’s services, support groups, individual counseling, legal advocacy and community outreach and education programs.

**Maryann Civitello** is working with Project Hope on the acquisition of a parcel of land next to the organization’s current facility in Roxbury, which will allow Project Hope to expand its facilities. Mintz Levin has a longstanding affiliation with Project Hope, one of Boston’s leading non-profit agencies in the provision of affordable housing and assistance to the homeless. On December 6, 2002, Sister Margaret Leonard, Executive Director of Project Hope, spoke at Mintz Levin about a new program, the One Family Campaign, underwritten by the Paul and Phyllis Fireman Charitable Foundation. The organization is participating in the One Family Campaign designed to contest the Commonwealth’s family homelessness crisis by shifting the state’s focus from managing to ending the problem.



Throughout her career at Mintz Levin, Pro Bono Committee member **Maryann Civitello** has provided valuable real estate services to numerous non-profit entities, including several domestic violence shelters.

*“‘In-kind’ donors are among the many unsung heroes who provide much-needed behind-the-scenes assistance to The Food Bank and its staff. The law firm of **Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**, is one such ‘in-kind’ donor. Mintz Levin has been working with The Food Bank for more than a decade, and its contributions have been both substantial and invaluable. During the course of the year, approximately 6 to 8 partners and associates assist The Food Bank with a number of legal issues, including real estate, environmental, employment, litigation, trademark, corporate governance and general corporate issues....The **Mintz Levin** team routinely goes above and beyond in helping The Food Bank to address the many issues it confronts as a charitable business. Thanks to their generosity, the staff of The Food Bank can focus on the ‘business’ of providing food assistance to those in need.”*

Quote from the Greater Boston Food Bank’s November 2003 newsletter.



Former director of the firm’s Domestic Violence Program, **Daria Niewenhaus** serves as a Pro Bono Committee member and contributes greatly to the firm’s domestic violence and health care pro bono initiatives.

## Benefits Administration and Employment Law

The Legal Advocacy and Resource Center is being aided by **Peter Marathas** and **Charles Grace**, who will be reviewing some of the organization’s benefit plan documents. The Center’s benefits documentation is outdated, so **Peter** and **Charles** will work on preparing a new plan document.

The Greater Boston Food Bank (“The Food Bank”) has long been the beneficiary of a variety of Mintz Levin’s services. In the past year, members of Mintz Levin’s Employment and Labor section, including **Bob Gault**, **Steve Weatherhead** and **Drew Matzkin**, have provided legal counseling and related services to The Food Bank on a number of employment-related topics, including employment and consulting agreements, separation agreements, payment of wages, work hours and overtime, and employee evaluations. In addition to employment counsel, The Food Bank has received advice in the following areas over the past year: environmental issues from **Lyn Lustig**, real estate matters from **Margaret Pasulka** and corporate work from **Sandy Tarrant**.

**Bob Gault**, a Member in the firm’s Employment, Labor and Benefits section, serves on The Food Bank’s Board of Directors and its Development and Real Estate Committees. Regarding the pro bono work he has provided to The Food Bank over the years, Bob says,

*“I’m enthusiastic about The Food Bank’s mission, and I’m happy to work for an organization that I believe in.”*

**Sam Feigin** will be providing employment and benefits advice to Keshet Newton, a non-profit, community-organized after school program for elementary school students focused on Jewish and Hebrew learning. Initial issues will include assessment of appropriate status with respect to unemployment contributions, negotiation/papering of relationships with several employees/contractors, potential separation of one employee/contractor and implementation of appropriate employment policies.

## Health Care

At the request of Community Legal Services and Counseling Center, **Daria Niewenhaus** provided advice on some health care regulatory issues, including the Health Insurance Portability and Accountability Act (HIPAA). **Daria** also serves as a Board member for the Center.

**Daria Niewenhaus** and **Susan Weller** of the New York office have provided legal services to The Kenneth B. Schwartz Center regarding contracts for the Schwartz Center Rounds, licensing and copyright issues and various other matters. The Schwartz Center is an organization that trains health care providers to be sensitive and caring.

*“Participation in the firm’s pro bono program has enhanced my professional practice. For example, providing services to The Kenneth B. Schwartz Center has allowed me to help an organization that assists caregivers and, through them, their patients, while gaining a greater understanding of the provider training system in place at academic medical centers and elsewhere. As a non-litigator, I’ve represented many individuals in court through the Domestic Violence Project and contributed to appellate briefs in this area—professional opportunities I otherwise may not have had in the normal course of my practices.”*

**Daria Niewenhaus**, Special Counsel in the firm’s Health Care section

## Bankruptcy

The Boston Bar Association's Bankruptcy Law Committee was searching for volunteer lawyers to staff Chapter 13 bankruptcy cases, and Mintz Levin answered the call. More than 100 consumer debtors were left without representation after their attorneys were disciplined and prohibited from practicing law. Certain judges in the U.S. Bankruptcy Court for the District of Massachusetts requested that these cases be taken on pro bono. A successful Chapter 13 case is often the last chance a family has to avoid homelessness. The typical client in the group mentioned above has cobbled together \$500–\$1,000 for a lawyer's fee and is now in the middle of the case and subject to a strict repayment budget. Without pro bono assistance, these clients would be forced to navigate the courts *pro se* against well-heeled opponents. **John Morrier** is supervising several associates in handling three of these cases.

## Corporate Law

*Each year, numerous non-profit corporations benefit from the experience and dedication of Mintz Levin's corporate attorneys. Through the successful efforts of these knowledgeable professionals, dozens of non-profits are able to obtain tax-exempt status and receive advice relating to their operations, allowing for them to raise money and carry out their important missions.*

**Sandy Tarrant** assisted a former Mintz Levin associate, Peggy Hill, in setting up the Eric T. Hill Foundation in memory of her deceased son. The Eric T. Hill Foundation helps families whose children are critically ill but whose insurance does not cover all of the procedures needed for their care. Families who show a financial need and have an ailing child in the hospital will be aided by this foundation, as the money raised will be donated to hospitals, research centers and non-profit organizations that promote children's health, welfare and well-being to help pay for those procedures not covered by the families' insurance. **Sandy** succeeded in setting up the foundation as a non-profit organization with 501(c)(3) status, advising on Board development and fundraising registration.

Work In Progress (WIP), formerly The Leverage Experience Access Potential, benefited from the work of **Sandy Tarrant** and **Steve Weatherhead**, who are working with them to obtain 501(c)(3) tax exempt status for this new, non-profit corporation. **Sandy** incorporated WIP and advised the organization on fundraising registrations and Board development. WIP empowers young adults to take initiative in their vocational development, discover their potential, and gain life skills through student-driven job creation and matching programs that broaden access to valuable summer employment. Mintz Levin may also be helping the organization with limited trademark work in the future, and **Christine Baker** has begun advising WIP on preliminary trademark issues.

**Michael Gardener** serves on the Board of the Massachusetts Coalition for the Homeless and provides advice on legal issues affecting the organization's operations.

**Sandy Tarrant** helped the Massachusetts Melanoma Foundation (MMF) obtain its 501(c)(3) status, and this work has expanded over the years so that Sandy now serves as the organization's outside general counsel. **Sandy** oversees the client and represents MMF in corporate matters, and **Drew Matzkin** works with MMF on employment-related matters. MMF is dedicated to educating the public about the dangers of melanoma and other skin cancers, promoting prevention and funding research on treating and preventing this terrible disease. In particular, MMF focuses its educational efforts on children in order to make skin cancer prevention second nature to everyone.

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Having worked diligently over the years to incorporate dozens of non-profit entities, **Sandy Tarrant** is now one of the newest members of the Pro Bono Committee.

*"My pro bono work at Mintz Levin has been a deeply rewarding experience, both personally and professionally. Educating clients about what it means to be a non-profit organization and counseling them to make decisions or create plans to achieve their charitable goals is a commitment of the firm that I am honored to represent."*

**Sandy Tarrant**, Associate in the firm's Business and Finance section

*“When I mentioned that **Mintz** was our pro bono counsel, he (a fundraising attorney) practically gushed, ‘They’re great – they are so much more progressive than most of the firms in the city – I know some fabulous people there.’ It was so nice to hear – and to confirm from my perspective.”*

Letter from non-profit corporation  
Work In Progress to **Sandy Tarrant**

Mintz Levin represents the Massachusetts Coalition of School-Based Health Centers, Inc. (the “Coalition”) as its general outside counsel. Starting from the beginning of the organization’s life, **Sandy Tarrant** incorporated the Coalition, helped it obtain 501(c)(3) status, assisted it with fundraising registrations and now advises the Coalition on general corporate matters. The Coalition represents all of the school-based health centers across the Commonwealth and promotes the school-based health center model as an effective way to deliver quality health care to children in Massachusetts.

After establishing the Melanoma Educational Foundation Inc. (MEF) as a 501(c)(3) organization, Mintz Levin has continued to work with the foundation in several capacities. **Larry Schoen** is a member of the Board of Directors. **Brett Dorny** assisted in registering a trademark for the foundation’s set of educational materials called “SkinCheck.” MEF uses SkinCheck when making presentations regarding melanoma education and prevention in schools and other arenas. MEF focuses, in particular, on educating the high school population on means of self-detection and prevention of the disease.

The Association of Women’s Business Centers (AWBC) was formed to represent the women’s business centers across the country and to conduct training and education programs for the centers and for women in business. **Sandy Tarrant** worked with AWBC to obtain its 501(c)(3) status and now serves as its general outside counsel.

Mintz Levin has represented Project Hope for many years on a number of matters. Recently, **Sandy Tarrant** and **Peter Miller** advised Project Hope in establishing an endowment fund, which will ensure the long-term future of the organization. Project Hope has a long history of helping families in Massachusetts move up and out of poverty through a combination of direct service, neighborhood organization and statewide advocacy.

**Navjeet Bal** will be providing advice to International Bridges to Justice (IBJ), a human rights organization with offices in Boston, Massachusetts, and Geneva, Switzerland. IBJ is a 501(C)(3) organization that approaches social and human rights through a specific commitment to the legal development of effective criminal justice systems in Asia, in particular, in China, Cambodia and Vietnam. Specifically, IBJ works to guarantee the right of all citizens to competent legal representation, the right to be protected from cruel and unusual punishment, and the right to a fair trial. To this end, IBJ works to support and enhance local and governmental legal aid efforts to protect citizen rights and to implement existing criminal laws through providing training partnerships, legal and administrative structural support and material assistance. IBJ will be calling on Mintz Levin attorneys from time to time with questions related to Massachusetts law, as it applies to IBJ’s offices here in Boston.

The Teen Action Campaign (TAC) is a Massachusetts non-profit organization that brings the message of prevention and education on domestic violence to the teen population nationwide. **Peter Miller** helped TAC incorporate and obtain 501(c)(3) status. **Sandy Tarrant** advises TAC on ongoing general corporate matters and is the firm’s liaison to the client.

**Sandy Tarrant** advises The Casey-Girl Foundation, a foundation established to raise funds to support hospitals, research centers and other nonprofit organizations that support children’s health and health care. Established by her parents, The Casey-Girl Foundation was set up in the memory of Casey Walsh, who passed away after a long illness at age one. **Sandy** has incorporated the foundation, helped it apply for 501(c)(3) status and advised it on fundraising registration and Board development.

**Seni Adio** and **Sandy Tarrant** work with FATE Foundation, USA (“FATE”), an Illinois nonprofit corporation that promotes entrepreneurial opportunities for youth in Nigeria. **Seni** and **Sandy** have worked with FATE on updating its bylaws and on fundraising registrations. Mintz Levin serves as the organization’s general counsel on the East Coast.

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Mintz Levin has advised Greater Boston Aid to the Blind (GBAB) on various matters for many years. Recently, **Neil Aronson** and **Sandy Tarrant** assisted GBAB in corporate restructuring matters, including state-funded low-cost mortgage programs, environmental issues, employment and immigration matters, forming a supporting organization and advising on strategic alliances. For over 90 years, GBAB has been the only agency in Massachusetts devoted exclusively to the personal support and rehabilitation of adults aged 50 and over who are visually impaired. The goal of all GBAB's programs is to help their clients remain independent, safe and comfortable in their own homes.

**Sandy Tarrant** is advising Ellemar Communications ("Ellemar") in forming a Massachusetts non-profit corporation, Board development, fundraising registrations, and applying for 501(c)(3) status. **Christine Baker** has provided Ellemar with preliminary trademark advice, and Mintz Levin may be helping the organization with limited trademark work in the future. Ellemar will produce Kahani Magazine and a website with the goal of becoming a parenting resource to South Asian families who are raising their children in multicultural environments within the United States.

Shine-A-Light, Inc. is a Massachusetts non-profit corporation dedicated to helping street children in Latin America by identifying the most effective tools for education and empowerment and then distributing and implementing them across Shine-A-Light's network of non-governmental organizations. **John Stephan** incorporated Shine-A-Light and worked with **Sandy Tarrant** to help the organization obtain 501(c)(3) status. **John** and **Sandy** advise Shine-A-Light on ongoing matters relating to Board development, fundraising registrations and general corporate oversight.

**Sandy Tarrant** has advised NEWFund on various corporate matters, including bylaw revisions and Board policies.

Kahani Magazine, a literary magazine for children, became incorporated as a non-profit with 501(c)(3) status with the assistance of **Sandy Tarrant**. The magazine is targeted at six- to ten-year old South Asian children, with stories and activities relevant to the difficulties in juggling two different cultures simultaneously.

The Jewish Musical Theater "Firelech" is applying for not-for-profit status with the Internal Revenue Service. **Sandy Tarrant** is assisting with this incorporation. The organization is devoted to raising awareness of Jewish culture and tradition and has been doing so for the last two years. This fall, they began offering low cost art, music and dance lessons to people of all ages, and they plan to conduct lectures and discussions on Jewish literary and cultural subjects.

**Michael Gardener** and **Meredith Leary** are assisting a family who lost a loved one in the World Trade Center on September 11, 2001, with their September 11<sup>th</sup> Victim's Compensation Fund claim. The Victim's Compensation Fund was established by Congress as a litigation alternative for victims and families shortly after the events of September 11<sup>th</sup>. The client was referred through Trial Lawyers Care, an organization formed to provide experienced lawyers, free of charge, to September 11<sup>th</sup> victims and their families.

**Sandy Tarrant** has been asked by The Shipner Fund at the Greater Boston YMCA, Central Branch, to assist the organization with a *cy pres* petition in Probate Court to reaffiliate the fund with another non-profit organization, currently contemplated to be the Pine Street Inn.

**Ford Goldman** will be assisting the Boston Public Library with respect to documentation in connection with the well-publicized, large gift of maps donated by the Leventhal family.

## Awards and Recognition

The July 2003 issue of *The American Lawyer* ranked Mintz Levin 16<sup>th</sup> among AmLaw 100 firms in pro bono work and first among top-tier firms in its increase in pro bono work over

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**Lisa Glahn** and her client are shown above, as Lisa accepts Mintz Levin's 2003 Pro Bono Award for her efforts in securing political asylum for the client.

the past year. Mintz Levin topped the list in the "Most Improved" category of the journal's survey, with a 66% increase in pro bono hours. The journal article states, "Once again, most top firms improved their annual pro bono scores....Who improved the most among the firms with the best performance? Using the Am Law Pro Bono Scale, a weighted formula that combines the percentage of lawyers with more than 20 hours of pro bono work with per capita pro bono performance, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo finished first with a gain of 66.2 percent....John Markey, the partner who chairs Mintz Levin's pro bono committee, pointed to a couple of hours-intensive litigations that helped explain his firm's surge, but more importantly to involving the firm's new offices and non-litigators. He cited a program they run with the Lawyers Committee for Civil Rights, in which firm lawyers represent small businesses in the inner city, trying to make sure that untended legal needs don't inundate them."

On July 30, 2003, **Lisa Glahn** became the 12<sup>th</sup> winner of the annual firm Pro Bono Award. **Lisa** worked tirelessly on behalf of an individual who had been tortured in his native country of Haiti as a result of his political activities opposing the regime of Jean Bertrand Aristide. For months, **Lisa** prepared a thorough case for political asylum on the client's behalf, performing such tasks as interviewing witnesses, preparing affidavits, handling an expert and analyzing Haiti's country conditions. During a grueling, seven-hour hearing in March 2003, **Lisa** argued persuasively before an Immigration Court judge, who complimented her in the end for presenting a clear, well-organized case. The judge ruled from the bench that the client's asylum application was approved, allowing him to stay in the United States. Had the client been deported to Haiti, he would have faced certain execution from the Aristide regime. This case was also exceptional in that only 5% of political asylum claims involving Haitian natives at the Immigration Court level are typically approved. Congratulations to Lisa.

**Mintz Levin's** partnership with The Family Advocacy Program was praised in the September/October 2003 issue of *The Boston Bar Journal*. The Family Advocacy Program is a unique and cutting-edge service of the Pediatrics Department at the Boston Medical Center designed to improve the health and welfare of low-income children and their families through the provision of proactive legal assistance in a community health care setting. Through this program, attorneys and paraprofessionals assist clients with a wide range of legal issues pertaining to health care, housing, education, family law, nutrition and benefits.

**Mintz Levin** was presented with a Community Merit Award in October 2003 by pro bono client The Concerned Citizens of Freetown ("Concerned Citizens"). At a lunch attended by a panoply of government officials, including Congressman Barney Frank, State Representative Mark Howland and the head of the New England Regional Office of the Environmental Protection Agency, Bob Varney, a representative from Concerned Citizens thanked the firm "for protecting the environment we live in, and for recognizing your vision in making Freetown a better place to live for future generations...." The Concerned Citizens of Freetown is a neighborhood group formed by many of the residents of a small 100-year-old village, largely composed of citizens of Cape Verdean ancestry, in the town of Freetown in Southeastern Massachusetts. The village has lately been overrun with environmentally unfriendly uses through deliberate decisions of the town government. For some time, **Beth McCormack**, **Deepak Jayaraman** and **Noah Shaw** have been working under the supervision of **Paul Wilson** in an attempt to change the zoning to require the installation of water pipes that actually work, and seek other redress. After long negotiations with the town went nowhere, Mintz Levin worked with the Lawyers' Committee to file an environmental justice civil rights lawsuit in federal court on behalf of many neighborhood residents.

**Sue Finegan** was featured in the July/August 2003 Corporate Board Member Special Issue of *Metropolitan Corporate Counsel*. **Sue's** outstanding contributions in the field of domestic violence were recognized by the journal.

*Over the past year, the D.C. office has continued its impressive commitment to providing quality representation to its many pro bono clients, with over 80% of attorneys spending time on pro bono matters. For the second year in a row, the D.C. office was nominated for the D.C. Bar's Pro Bono Firm of the Year by its client, Women Empowered Against Violence (WEAVE). In addition, several of the D.C. office attorneys have received awards for their outstanding work in specific areas.*

## Domestic Violence

This spring, a team of associates in the D.C. office, including **Laura Newman**, **Susan McDonald** and **Diana Schad**, and summer associate **Jessica Taverna**, represented a female college student who was seeking a civil protective order against a male student who sexually assaulted her on campus. Because the two had previously dated, and because alcohol was involved, the facts of the case were very complicated and the parties were unable to settle the matter. The case went to trial before a D.C. Superior Court judge who ultimately denied the civil protective order, based in part on the fact that the semester was over and the parties would no longer have any contact with each other. Despite the outcome, our client appreciated the opportunity to tell her story in court and was grateful for Mintz Levin's support throughout the ordeal. As a result of this case, the D.C. office assisted WEAVE in preparing a comprehensive information packet about domestic violence and relevant law that was distributed to universities in the D.C. and Maryland area.

**Michael Haas** recently prepared comments on behalf of the National Network to End Domestic Violence (NNEDV) to submit to the Department of Housing and Urban Development (HUD) regarding the Homeless Management Information Systems program HUD is trying to implement. The program would allow HUD to track homeless individuals, or anyone else seeking assistance from a shelter, by collecting a massive amount of personal data from people who come to the shelter for help. HUD wants providers to collect personal information, such as mental health status and physical health status, from everyone who walks through a shelter door. NNEDV is very concerned that women seeking help from any kind of shelter will be forced to provide sensitive personal information that would allow a batterer who gains access to the information to locate his victim. The proposed standards for the security and storage of this information are completely inadequate and will place many domestic violence victims in danger.

**Michael Haas** and **Karen Lovitch** also recently helped NNEDV in joining alliances with Senator Joseph Biden's office to require the Department of Justice (DOJ) to follow the law and make the Violence Against Women Office a separate and independent office within DOJ. **Michael** and **Karen** were in the final stages of drafting a complaint that was to be filed on behalf of NNEDV seeking *mandamus* relief to force Attorney General John Ashcroft to establish the Office. Ashcroft, quite possibly because of **Michael's** complaint, reached agreement with Senator Biden to make the Office independent.

**Rob Kidwell** and **Michael Haas** recently obtained a protective order for a WEAVE client. Part of their strategy at the hearing was to play a tape recording of several messages that were left on the client's answering machine. After listening to the first of ten messages, in which the defendant threatened the judge and the attorneys, the judge wrote up the order.

**Ann Marie Phillips** of the Reston office has been working on a case involving child custody, visitation and domestic violence.

## Additional Projects

For the past several years, **Angela Collins** has represented a Nigerian immigrant who was viciously abused by her husband. In May 2003, the client began looking for a house for her family using the money **Angela** and **Susan Duarte** helped her secure to satisfy her husband's

*"The pro bono work at Mintz Levin offers a new lawyer the perfect opportunity to ease the transition into your career. The projects one can get involved in go a long way in building the confidence of a new lawyer and are a terrific way for any lawyer, regardless of his/her level of experience, to sharpen his or her skills while at the same time serving our communities. For the clients that we assist through the various pro bono programs, Mintz Levin's commitment to them means everything, whether they seek a fair hearing, equal opportunity, physical safety or simple peace of mind."*

**Michael Haas**, Associate in the firm's Antitrust and Federal Regulation sections



**Ann Marie Phillips**, a new Pro Bono Committee member, will be coordinating all pro bono initiatives in the Reston office.

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Pro Bono Committee member **Fernando Laguarda** has inspired many with his commitment to pro bono projects. Fernando continues to lead the efforts of the D.C. office in the area of pro bono.



Along with Fernando Laguarda, Pro Bono Committee member **Chuck Samuels** acts as the coordinator for the numerous successful pro bono services provided by the members of the D.C. office.

past child support obligations. During the credit approval process, the client discovered that the State of Maryland had imposed a tax lien against her and her husband. The tax lien was imposed because her husband failed to pay taxes to the State of Maryland for the tax year 1991. Even though the couple is now divorced, the tax lien was imposed when they were married and when they filed their taxes jointly. As a result, both parties can be required to pay the tax lien. In August 2003, **Susan** and the client met with the Maryland State Comptroller's office to discuss possible settlement issues. **Susan** and the client are now working with the office to resolve issues associated with the client's attributable portion of the tax lien.

**Erin Lewis Darling** and **Marie Infante** pursued a guardianship petition for an elderly resident of a local nursing home. The nursing home determined that the woman is no longer able to make decisions for herself, and thus it is in her best interest to have a guardian to represent her and make decisions on her behalf. As the woman does not have family or friends and relies on public assistance, **Erin** and **Marie** will submit a guardianship petition and represent the client at the court hearing.

Wildlife Rescue, a small pro bono client, has been threatened with the removal of an easement that is covered by its insurance policy. The organization tendered its defense to the insurance company in May 2003, which met with a request for additional information and silence thereafter. **Carolyn McElroy** is now preparing Wildlife Rescue for a hearing regarding extinguishing the easement.

**Susan Weller** of the Reston office continues to perform trademark and copyright work for two longstanding clients of Mintz Levin, Reach Out and Read, Inc. and The Schwartz Center.

**Wayne Zell** of the Reston office serves as Secretary/Treasurer and Board member of the Children's Charities Foundation, which distributes approximately \$650,000 per year to local charities that support at-risk and disadvantaged children and youth.

## Awards and Recognition

In the fall of 2003, **Angela Collins**, **Susan Duarte** and **Alexandria Jungekeit** were presented with a Pro Bono Award from the D.C. office's long-term client, Women Empowered Against Violence ("WEAVE"), for the trio's success in rallying their colleagues to devote time to domestic violence work. From September 2000 until July 2003, a team of Mintz Levin attorneys and paralegals spent over 1,000 hours on WEAVE cases. WEAVE wrote in its most recent newsletter that "seven attorneys and five paralegals worked on these cases and with great results!"

On January 24, 2003, **Karen Lovitch** of the D.C. office was presented with the "Advocacy Award" by her pro bono client, St. John's Community Services ("St. John's"). This award is given annually to someone in the community for his or her advocacy efforts to advance community support and opportunities for people living with disabilities. At the same time, St. John's also presented an award to **Mintz Levin** to acknowledge the firm's dedication to advancing community support and opportunities for people living with disabilities. During the presentation, **Karen's** work for the D.C. Coalition for Community Services ("the Coalition") was highlighted. The Coalition consists of a group of social service agencies serving the special needs of District of Columbia citizens with mental retardation. The Coalition's member organizations required assistance in securing prompt and adequate Medicaid and other payments from the District of Columbia. Without **Karen's** advocacy and intervention efforts on behalf of the Coalition and people with mental retardation, many of the providers who make up the Coalition may have been forced to close their doors, resulting in the collapse of the service delivery system. Congratulations to **Karen** for winning this award and for her distinguished work on behalf of this special community.

*From political asylum cases to corporate and employment matters, attorneys in the New York office continue to vigorously represent the interests of those less fortunate.*

**Chris Hildenbrand** and **Narges Kakalia** are currently representing a native of Cameroon in connection with his application for asylum and withholding of removal. The client was imprisoned and physically tortured due to his political opinion and activities on behalf of the Southern Cameroon National Council, an opposition political party in Cameroon whose members have been targeted by the nation's authoritarian ruling party, the Cameroon People's Democratic Movement.

**Ebun Garner** is currently working on general corporate representation for CampInteractive, Inc., a summer camp for inner city youths that combines both traditional outdoor activities and computer training. **Ebun** has also completed 501(c)(3) registration and is working on obtaining state tax exemptions for the Pakistan Community Center of USA, Inc., which provides outreach services to Pakistani immigrants in Brooklyn, New York. In addition, he is working on general corporate matters and obtaining 501(c)(3) exemption for Slope Publishing, Inc., which provides counseling and guidance to writers who are unable to afford their own literary agency representation.

**Joel Papernik** and **Ivan Blumenthal** drafted a Corporate Code of Conduct for the New York Biotechnology Association.

**Kevin Ainsworth** has continued his representation of the Leatherneck Scholarship Ball, Inc., an annual fundraising dinner in New York City to benefit the Marine Corps Scholarship Foundation. The Foundation provides financial assistance in the form of scholarships for higher education to deserving children of current and former United States Marines, with particular attention given to children whose parents were killed or wounded in action. The Ball raises approximately one-third of all funds raised by the Foundation. **Kevin** also continues to work as a court-appointed mediator for the United States District Court for the Southern District of New York.

**Jeff Moerdler** continues to do work regularly for the Young Men's and Young Women's Hebrew Association of the Bronx (a.k.a. the Riverdale Y). Most recently, **Jeff** has worked on an employment matter involving the termination of a problematic employee and ongoing issues between the Y and the adjoining property owner who is building a series of new homes next to the Y.

For the past two years, **Lara Burnazian** has been working on behalf of the Barth Syndrome Foundation ("Barth") and has recently succeeded in resolving a litigation matter brought against the foundation, negotiating the allocation of fund raising proceeds between Barth and a sister foundation and facilitating the separation of these two entities. Her work was much appreciated by the client.



For the past few years, **Chris Hildenbrand** has served as a Pro Bono Committee member and Coordinator of the New York office's pro bono services. In addition to his work on the Committee, Chris has taken on several political asylum cases.

*"Just a note to send you heartfelt thanks for all your time and effort. We are very grateful for what you have done for us and appreciate the tremendous amount of time you gave to this on our behalf. Many, many thanks to you!"*

Letter from the founding board member of the Barth Syndrome Foundation to **Lara Burnazian**

*continued on next page*



Along with Chris Hildenbrand, **John Delehanty** coordinates and oversees many New York office pro bono projects, while also serving as a member of the Pro Bono Committee.

**Jeff Moerdler** will be supervising a team of attorneys and paralegals from the New York office in their efforts to assist the Metropolitan Council on Jewish Poverty (“the Council”). The Council serves as a hub for numerous services provided by New York’s Jewish community to the Jewish poor and others. Mintz Levin’s work with the Council will primarily involve real estate and subsidized housing projects. Potential projects include negotiating a lease of a hotel where a family shelter will be developed, conducting discussions with cable and cell phone companies for the use of the rooftops of their buildings, helping with property disputes and structuring loan agreements with the New York City Department of Housing Preservation and Development and/or various foundations for capital grants. The organization has been honored in the past for using less than two-percent of its budget for administration and fundraising.

*“My pro bono work for the Metropolitan Council on Jewish Poverty and for the Young Men’s and Young Women’s Hebrew Association of the Bronx (a.k.a. the Riverdale Y) has given me an opportunity to achieve three things: a) helping worthwhile, cash-strapped organizations such as the Senior Citizens Center at the Y provide more services to its members such as meals on wheels to the homebound elderly in the South Bronx, b) giving back to society some of what it has given to all of us and c) exposing me to new types of work that I would not otherwise be exposed to, such as my current work on the ground lease of a hotel by the MetCouncil for conversion to a homeless shelter. This work has been interesting, fun and fulfilling. I encourage everyone to take on some pro bono work.”*

**Jeff Moerdler**, Member in the firm’s Real Estate, Communications and Environmental sections.

One Financial Center  
Boston, Massachusetts 02111 USA  
617 542 6000 | 617 542 2241 fax

701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004 USA  
202 434 7300 | 202 434 7400 fax

666 Third Avenue  
New York, New York 10017 USA  
212 935 3000 | 212 983 3115 fax

12010 Sunset Hills Road  
Reston, Virginia 20190 USA  
703 464 4800 | 703 464 4895 fax

157 Church Street  
New Haven, Connecticut 06510 USA  
203 777 8200 | 203 777 7111 fax

Water Garden  
1620 26th Street  
Santa Monica, California 90404 USA  
310 586 3200 | 310 586 3202 fax

The Rectory  
9 Ironmonger Lane  
London EC2V 8EY ENGLAND  
+44 (0)207 726 4000 | +44 (0)207 726 0055 fax

If you would like further information  
on any subject covered in this report,  
please contact us.