

Diversity & Inclusion

Annual Report 2018



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Message from the Chair

Welcome to Crowell & Moring's annual Diversity & Inclusion Report. We are proud to share this account of the nature and success of our efforts over the past year toward making our firm a place where our ambition and commitment to achieving a thoroughly diverse community are reflected in every aspect of our legal and professional ranks.

Crowell & Moring was founded four decades ago in an era when large law firms regrettably featured virtually no gender, racial, or ethnic diversity. Efforts to change that reality were scarce and ineffective. We are proud to have made both symbolic and substantive progress in that regard. We have twice selected a woman to serve as chair; our recruiting program consistently attracts outstanding talent across a broad array of diversity characteristics; and we have made steady movement towards realizing ultimate success in that recruitment trajectory, such as the 2019 partner promotion class, which included a majority of women among its eight attorneys, as well as diversity by other qualities. Yet, we know that increasing diversity within the profession and our firm over the past 40 years has been too modest for anyone to declare victory.

For that reason, we continue to enhance and expand our efforts. That is why we now emphasize both diversity and inclusion, and continue to increase our efforts to provide meaningful opportunities for sponsorship to all our lawyers. That is why we welcome our clients' growing attention and support for hiring diverse legal teams to serve their needs, and why we engage actively with our clients in dialogue about how we're meeting that expectation. That is why we provide our lawyers and professional staff—especially those in leadership and management positions—with training concerning the nature and danger of unconscious bias, and the need to build awareness and safeguards to counter it. That is why we declared our commitment to the Mansfield Rule 2.0 initiative, and have made it one important measure of our progress. That is why this year we were thrilled to welcome to our community Don Smith, our new senior director of talent and inclusion, who will help lead us towards the day when diversity becomes an inherent feature of our firm, one that results organically from all that we do.

We know that we have not crossed the finish line yet. In the words of former civil rights leader Congressman John Lewis, "Never give up, never give in, never give out. Keep the faith, and keep your eyes on the prize." We know why it's worth continuing the journey towards that day. As we celebrate the 40 wonderful years of Crowell & Moring, we embrace our mission to be a different kind of law firm: one that holds equally dear our commitment to providing the very best legal services to our clients while cultivating a community where mutual respect, support, and collaboration promote the efforts of all our people to achieve personal and professional satisfaction. We know that we advance both of these core objectives best when we create legal teams that marshal the power of diverse perspectives, ingenuity, and contributions, and that our community is at its best when each individual can flourish by participating openly and fully in the life of our firm.

We hope you find this report informative and inspiring. We welcome all ideas and efforts to advance the core values and objectives on which our firm was founded. And we will continue exploring and embracing innovations and approaches that will ensure Crowell & Moring becomes the very best it can be by improving diversity and inclusiveness in our workplace.

Philip T. Inglima





Message from the Diversity Council Steering Committee Co-Chairs

2018 Year in Review

Since its formation in 1979, Crowell & Moring has placed a premium on fostering a culture of inclusivity and respecting the unique talents and perspectives of all our people. That culture makes our offices a place where people want to work. That culture enables us to use the diversity of thought and talent of our teams as a catalyst to provide the best advice and service to our clients. And that culture is helping us to partner effectively with our clients to promote diversity and inclusion strategies and actions. It is also the foundation for creating disruptive innovation—innovation that we hope will significantly advance diversity and inclusion in our firm and in the legal profession.

In 2016, the firm's Diversity Council formalized three strategic objectives that drive our ongoing diversity and inclusion efforts: (1) Inclusion—creating and maintaining an inclusive work environment where all individuals feel respected and valued; (2) Opportunity—ensuring that diverse attorneys receive appropriate opportunities to excel and be promoted within the firm; (3) Recruitment—improving recruiting of diverse law school and lateral candidates.

Our firm focuses on these objectives through a variety of programs and activities. In our second annual Diversity & Inclusion Report, we highlight many of the events and measures taken during the past year to advance our vision of a diverse community.

The year 2018 was especially significant for our efforts. In March, to celebrate Women's History Month, the firm held an overwhelmingly successful client event that included a thoughtful panel discussion about the state of diversity and inclusion efforts in the legal profession.

We also joined the Mansfield Rule 2.0 initiative in 2018. As a firm, we recognize that, while we have been quite serious about our diversity and inclusion commitment, we need to take bolder action. This initiative, sponsored by the Diversity Lab, challenges law firms to affirmatively consider at least 30 percent women attorneys, LGBTQ+ attorneys, and attorneys of color for leadership and governance roles, equity partner promotions, and senior lateral attorney hires. In a number of categories, we intentionally set and achieved goals for our firm that are significantly higher than those required by the Mansfield Rule 2.0 effort.

Another 2018 highlight was the firm's Sponsorship 2.0 initiative. Several years ago, Executive Committee Chair Ellen Moran Dwyer launched an innovative sponsorship program based on Fortune 500 companies' efforts to get more women into the C-suite. A group of 18 purposefully selected partners, all leaders in the firm, sponsored 18 associates and counsel—many of whom were women and lawyers of diverse backgrounds—as protégés to help place them on the path to promotion.

Toward the end of the year, Don Smith joined our firm as our senior director of talent and inclusion. A graduate of Howard University School of Law, Don has deep experience as a practicing lawyer with a large firm and as a longtime talent development and diversity professional. We are very excited about the capabilities he brings to the firm and enthusiastically welcome him.

In March 2019, we were also thrilled to welcome Juan Arteaga as the new co-chair, alongside John Gibson, of the Diversity Council Steering Committee. The Diversity Council looks forward to continuing this important work with new leadership at the helm and we will continue to work together to advance the firm's strategic diversity and inclusion vision.

In the pages that follow, you will find additional details about the efforts described above, as well as many others. We thank you for taking the time to read about Crowell & Moring's commitment to ensuring that our firm reflects the communities in which we—and our clients—live and work.

John S. Gibson



Kirsten L. Nathanson



Message from Don Smith

Senior Director of Talent and Inclusion



It was with great excitement that I joined the Crowell & Moring community this past fall. I knew that I was becoming a part of a law firm that has a significant and meaningful commitment to diversity and inclusion across all levels of the organization. This annual report, looking back at the firm's efforts and activities during 2018, demonstrates the strength of dedication and willingness to devote considerable resources to this end.

In 2019, we intend to continue working with the firm's affinity groups to provide new programming and enhance members' connections to valuable resources for their personal and professional development. In addition, we will continue to work with the firm's management to strengthen our leadership pipeline, ensuring that it reflects a diverse talent pool and contains support mechanisms to promote retention and advancement within Crowell & Moring. Building on a strong track record of recruiting women and attorneys from diverse backgrounds, we will continue to help identify and access top talent while creating development and advancement opportunities to support our attorneys

and professional staff. Central to our efforts is my belief that bringing a talent development focus to diversity and inclusion will produce meaningful and transformative progress at our firm and for our individual attorneys.

In addition to being the right thing, diversity is imperative for ensuring that we are accessing the best talent that enables us to provide the best service to our clients. I look forward to helping our firm build on its long history and commitment to fostering a diverse and inclusive work environment, ensuring that every attorney and professional staff member has access to the requisite tools and opportunities needed for success.

I look forward to a very productive 2019.

Don Smith

A handwritten signature in blue ink that reads "Don Smith".

Steering Committee Co-Chairs



John S. Gibson



Kirsten L.
Nathanson

Steering Committee Members



Juan A. Arteaga



Lorraine M.
Campos



Sarah Gilbert

2018 Diversity Council and Diversity Council Steering Committee

The mission of Crowell & Moring’s Diversity Council is “To help build and retain a diverse community of legal professionals that reflects and fosters the firm’s commitment to client service through teamwork, innovation, and inclusion.” Weaving its mission into the fabric of the organization, the council, in collaboration with our leadership, develops and coordinates diversity and inclusion efforts and facilitates community building firm-wide.

The 29-member Diversity Council comprises partners, counsel, associates, and staff from every U.S. office. It meets every other month and is led by a Steering Committee of 11 partners and the firm’s Senior Director of Talent and Inclusion Don Smith.

Key to the leadership of the Diversity Council, the Diversity Council Steering Committee sets the strategic direction of the firm’s diversity and inclusion initiatives, with feedback from the council and the broader firm. Using their unique perspectives to foster true innovation, the Steering Committee members meet monthly to devise tangible diversity and inclusion goals.



Keith J. Harrison



David McFarlane



Michelle Gillette



Valerie M. Goo



Amy Laderberg
O’Sullivan



Philip T. Inglima



Don Smith

Diversity Council Members



Kevin C. Mayer
Partner



Preetha Chakrabarti
Counsel



Chiemi Suzuki
Counsel



Adeoye O. Johnson
Associate



Sima Namiri-Kalantari
Counsel



Akhil Sheth
Associate



Niran S. Somasundaram
Associate



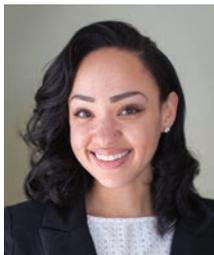
Marguerite Eastwood
Chief HR Officer



Elena Gladkova
Dir. Infrastructure Services



Vik Gupta
Dir. Marketing



Lauren Jenkins
Diversity & Inclusion Specialist



Melissa Matallana
Regional Director, HR/Office Administrator LA



Joshua Pearce
Sr. Mgr. Information Systems/Office Administrator OC



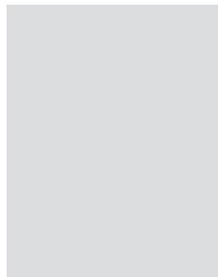
Dibe Perez
Office Administrator NY



Dawn Tonya
Office Administrator SF



Tony Williams
Asst. Mgr. Practice Support



Not pictured:
John L. Murino
Partner

Crowell & Moring Turns 40

Celebrating Inclusion and Community, Past and Present



As we prepare to celebrate Crowell & Moring’s 40th anniversary in 2019, we take pride in the fact that many hardworking, dedicated, and passionate people have made these four decades of collaboration, teamwork, and excellent client service possible. Their invaluable contributions have been essential to the firm’s growth and development.

While we cannot possibly recognize everyone, below are six Crowell & Moring employees, current and former, who have leveraged their unique skills and background to make meaningful and lasting contributions to our culture.



Toni Bruce *Special Projects Administrator, Crowell & Moring (Washington, D.C.)*

- Years at Firm:** 37
- Experience:** Firm-wide office support, partner events and integration, and throwing a mean party.
- Most Proud of:** Organizing the firm’s inaugural day party and alumni dinners.
- Quote:** Forty years ago, our founders had the courage and vision to begin a new journey. John Macleod perhaps said it best when he played the song at our 35th anniversary kick-off, ‘We are Family.’



Jini Koh *Corporate Counsel, Global Trade, Amazon*

- Years at Firm:** 6
- Experience:** Currently works with Amazon teams developing cross-border products or offers for customers and suppliers.
- Most Proud of:** Cross-practice projects. I always enjoy working with those outside of trade and learning about how they see a client’s problem.
- Quote:** C&M was founded by a group of insurgents and we should never forget that. The firm should continue to be innovative, take risks, invest in the good bet, be ok with adjusting its course when necessary, and focus on the highest quality of work—but never take itself too seriously.



Tony Williams *Manager, Practice Support, Crowell & Moring (Orange County)*

- Years at Firm:** 12
- Experience:** Supports antitrust cases, document collections, reviews for major antitrust mergers and civil investigative demands.
- Most Proud of:** Assisting with the development and growth of the Claims Recovery team.
- Quote:** Having started here as a project assistant, I am truly impressed with our growth and development opportunities, particularly in our West Coast offices. Associates that I started with in the Orange County office 10 years ago are now partners.



Keith Harrison *Partner, Crowell & Moring (Washington, D.C.)*

Years at Firm: 12

Experience: Litigates False Claims Act (FCA), antitrust, intellectual property, anti-kickback, FCPA, RICO, and other complex cases, and represents clients in grand jury investigations and other proceedings before the DOJ.

Most Proud of: Founding the firm's Trial Excellence Academy, working on *pro bono* cases such as Crosley Green, and accepting the ABA Death Penalty Representation Project Exceptional Service Award on behalf of the firm.

Quote: Took Crowell's office was next to mine when I joined the firm. He used to burst into my office, flick the lights on and off quickly, and say loudly, with great sarcasm, 'Hey, what the hell's going on in here?!?!' No matter how busy I was, it always made me laugh.



Chahira Solh *Partner, Crowell & Moring (Orange County)*

Years at Firm: 12

Experience: A complex litigator, she focuses on antitrust and unfair competition law and regularly counsels clients on all aspects of antitrust law.

Most Proud of: After helping a client obtain a U-visa and subsequently a green card, I helped her apply to college and navigate the financial aid process. She was the first in her family to go to college. I also litigated an opt-out antitrust recovery case for General Motors, where not only did I help them recover lots of money that was owed to them, but I also got to travel to exotic locales like Fort Wayne, Indiana, and Toledo, Ohio.

Quote: What makes Crowell so special are our people and our culture. As we celebrate our 40th anniversary and continue to grow, we should keep these things in mind so we can continue to be successful.



Mika Clark Tupy *Managing Counsel, Antitrust & Global Competition, United Airlines*

Years at Firm: 4

Experience: Works closely with various groups at United, such as Network, Alliances, Pricing & Revenue Management, Sales, Corporate Communications, and Regulatory, on antitrust counseling issues, and is responsible for the company's antitrust training and compliance.

Most Proud of: The *pro bono* projects. I helped several clients obtain U-visas. It feels cliché to sum it up with so few words, but making such a big difference in someone's life is really amazing.

Quote: When I decided to go to a law firm, Crowell differentiated itself by its culture. There is a focus on doing *pro bono*, developing attorneys, and doing top-tier work while not taking oneself too seriously. I wish Crowell tons of success in the future and I hope it remains a home for good level-headed people who want to do great work.

2018 Diversity Highlights

Firm Celebrates Women's History Month with Client Event and Panel Discussion

On March 15, 2018, Crowell & Moring hosted more than 300 clients, firm lawyers, and staff in Washington, D.C., for a celebration of National Women's History Month. The evening centered around a lively and thought-provoking panel discussion about the development and advancement of women and attorneys of color in the workplace.

Moderated by John S. Gibson, partner and co-chair of Crowell & Moring's Diversity Council Steering Committee, the panel included A. Verona Dorch, executive vice president, chief legal officer of government affairs, and corporate secretary for Peabody Energy Corporation, the world's largest private-sector coal company; Rosalind Hudnell, vice president of human resources and director of corporate affairs at Intel Corporation and president of the Intel Foundation; Jennifer A. Prioleau, division counsel, 3D printing, for global personal computer giant HP, Inc.; and, Kellye L. Walker, executive vice president and chief legal officer for Huntington Ingalls Industries, Inc., the United States' largest military shipbuilding company and provider of services such as training systems, IT, logistics support, unmanned undersea systems, and oil and gas engineering.

The event discussion focused on how to "move the needle" on diversity and inclusion, starting with an examination of where diversity in the legal market stands after 20 years of continued effort by companies and law firms. Panelists offered suggestions based on their personal and professional experience on how to foster a culture of "disruptive innovation," including looking to other industries for solutions and holding ourselves accountable. The group also addressed the importance of relationship-building, particularly with sponsors and mentors, in developing careers and in light of the #MeToo



John S. Gibson

movement. Panelists gave examples of their personal experiences as women of color building careers in male-dominated industries and described what their organizations are doing to promote diversity and inclusion.

Firm Chair Philip T. Inglima opened the program, noting the importance of diversity and inclusion to the firm. Executive Committee Chair Ellen Moran Dwyer introduced two client speakers to conclude the evening: Maryanne Lavan, senior vice president, general counsel, and corporate secretary for Lockheed Martin Corporation, and Mike Kaufman, chief executive officer of Cardinal Health. Both client speakers discussed diversity best practices from their respective companies.

The evening ended with a call to action: As allies and partners working together, we must hold ourselves and others accountable for the growth and success of our diverse talent. The path of progress for women and people of color in the workplace can be accelerated with disruptive innovation and personal ownership.

Sponsorship 2.0 Initiative

In 2018, Crowell & Moring rolled out a formal sponsorship program in collaboration with the Nebo Company and Kate Ebner, founding director of Georgetown University's Institute of Transformational Leadership. The program, tailored to the firm's unique culture, created an opportunity for 36 lawyers—associates, counsel, and partners—from across numerous practices and all U.S. offices, to participate in professional development-focused workshops and informal gatherings over a period of six months. Protégés included women and diverse lawyers (such as LGBTQ+ and lawyers of color) from third-year associates to counsel; sponsors included partners, particularly firm and practice group leaders.

The objective of the Sponsorship 2.0 program was two-fold: (1) embedding sponsorship as a cultural value within Crowell & Moring; and (2) investing in and working to propel the careers of the firm's best talent, with a particular focus on women and diverse lawyers.

The 2018 program evolved from an earlier similar effort. In 2012, Crowell & Moring became a leader in the legal industry when it launched an innovative

sponsorship pilot program—the first law firm initiative of its kind in the United States—aimed at improving the firm's record on attracting, retaining, and promoting talented women and diverse attorneys. The program was the idea of then-managing partner Ellen Moran Dwyer and then-firm chair Kent A. Gardiner and was developed after the two read a Center for Work-Life Policy report about unconscious bias in the workplace, published in the *Harvard Business Review*. The report linked the dearth of women in the C-suites of Fortune 500 companies to a lack of advocacy by their leadership-level male colleagues and suggested a practice called "sponsorship" to counter this.

Unlike mentorship, in which mentors are role models to their mentees and might provide advice on, for example, career development and navigating law firm politics, sponsors actively support and advocate for their protégés by putting them forward for critical career development opportunities and assignments. Crowell & Moring is proud to be a leader in this effort, continuing to foster a culture of sponsorship that cultivates a community of diverse talent and makes us a stronger and better firm.

“ In addition to having more one-on-one time with a partner in my group, I appreciated that the Sponsorship 2.0 program was able to gather several influential partners at the firm in one room to discuss tools for professional development at Crowell and share personal stories. The experience made it clear to me that there is no single path for success at Crowell.

Associate Adeoye O. Johnson, Protégé

“ One of the most interesting takeaways for me is the importance of really listening to the protégé's articulation of the issue he or she faces and helping the protégé come up with an approach, rather than simply telling the protégé what you think the issue is and what he or she should do about it. I also was struck by how focused the protégés are on becoming well-rounded professionals, rather than just on promotion.

Partner Tracy A. Roman, Sponsor

Diversity Speaker Series and Heritage Month Observations

Crowell & Moring’s Diversity Speaker Series brings distinguished speakers of various cultures and backgrounds to the firm to share their unique experiences and perspectives with attorneys and staff. The speaker selections often coincide with cultural heritage months and, many times, feature prominent authors presenting their published works. Programs are broadcast to all offices, including by teleconference to Brussels and London.



Jessica Fijolek, Judge Victoria Kolakowski, David McFarlane, and Michelle Gillette

February

Black History Month

Yale Law School Professor James Forman, Jr., led a discussion from the firm’s Washington, D.C., office on his book *Locking Up Our Own: Crime and Punishment in Black America*. The book, which won a Pulitzer Prize in April 2018, traces the growth of tough-on-crime and mass incarceration policies and their impact on people of color. It draws on Professor Forman’s experience as a public defender in Washington, D.C., a job he took after clerking for U.S. Supreme Court Justice Sandra Day O’Connor in 1993 and 1994.

March

Women’s History Month

Joanne Lipman, former editor-in-chief for USA Today and chief content officer of its parent company, Gannett, visited Crowell & Moring’s New York office to discuss her critically acclaimed book *That’s What She Said: What Men Need to Know (and Women Need to Tell Them) About Working Together*. Discussion topics included the current state and sentiments of women in the workplace, being heard, “bropropriation,” and “mansplaining.”

May

Asian Pacific American Heritage Month

American journalist and author Lenora Chu was welcomed to the firm’s San Francisco office to discuss her book *Little Soldiers: An American Boy, A Chinese School, and the Global Race to Achieve*. Centered around her family’s experience when Chu and her American journalist husband enrolled their toddler son in an elite state-run school in Shanghai, the book weaves in her research on the Chinese educational system and compares it to education in the United States, revealing positive and challenging aspects of both approaches.

June

Pride Month

Crowell & Moring’s San Francisco office was pleased to host a conversation with Judge Victoria Kolakowski of the Alameda County Superior Court. Judge Kolakowski—presently the only full-time sitting transgender judge in the United States—was the first openly transgender person to serve as a trial court judge of general jurisdiction in the country, the first elected to a judgeship, and the first to serve as any type of judge in California. An activist for the LGBTQ+ community since coming out publicly in 1989, she has been widely honored for her work on issues of inclusion.



Danielle Giffuni, Puja Shah, Susanna Cornelius, Joanne Lipman, Arlen Pyenson, and Rosemary Andress



Alejandra Castillo, Lauren Jenkins, and Keith Harrison

“ The Diversity Speaker Series brings together our C&M community to learn about and appreciate different perspectives and experiences. It’s truly an enriching and enlightening series.

*Jessie Nathanson, Director,
Client Development Programs & Training*

July	September - October	October	November
<p>Award-winning writer and activist Darnell Moore discussed his latest book, <i>No Ashes in the Fire: Coming of Age Black and Free in America</i>, in the firm’s New York office. The memoir reflects on Moore’s journey from an often bullied child growing up in Camden, New Jersey—where, at the age of 14, he narrowly escaped death at the hands of some neighborhood boys—to a leader in the Black Lives Matter movement and one of the most influential black LGBTQ+ writers and activists in the United States.</p>	<p>Hispanic Heritage Month</p> <p>The recipient of numerous awards and recognitions, Alejandra Y. Castillo, Esq., CEO of YWCA USA, joined Crowell & Moring’s Washington, D.C., office to share her vision for improving the lives of girls and women (particularly in underrepresented communities) and discuss her role as a leader in this effort. Castillo has worked in various public, private, and non-profit settings and was the first Hispanic American woman to serve as the national director of the Minority Business Development Agency, where she helped secure financing and capital in excess of \$19 billion to create or retain more than 33,000 jobs.</p>	<p>Disability Employment Awareness Month</p> <p>Valued, longstanding firm client James C. Stearns, Accenture’s director of legal services, trade compliance for the Americas and Asia-Pacific Regions, spoke at the firm’s Washington, D.C., office about the challenges and advantages that persons with disabilities encounter with integrating into society and into the workplace. Stearns, who was born with cerebral palsy, has aligned his legal career with a commitment to advancing the rights of persons with disabilities, including serving as executive committee chair and immediate past president of the Cerebral Palsy International Research Foundation.</p>	<p>Native American Heritage Month</p> <p>Author and University of Southern California Professor David Treuer discussed topics raised in his book <i>Rez Life: An Indian’s Journey Through Reservation Life</i> at Crowell & Moring’s Orange County office. Professor Treuer discussed his Ojibwe upbringing on the Leech Lake Reservation in Minnesota through personal and journalistic observations of Native American reservations and federal policies, including Indian sovereignty, community strength and value, and the importance of allies in shifting the public, often negative, narrative of Native American life.</p>



Local Office D&I Speaker Series and Book Club

Inspired by the well-received, firm-wide Diversity Speaker Series, the New York and Orange County offices hosted local programs for attorneys and staff.

New York's Diversity & Inclusion Speaker Series included:

- Jabbar Collins, a New York State inmate who, while in prison, found evidence that overturned his murder conviction, and then sued New York State and New York City for prosecutorial misconduct. His case led to a longtime Brooklyn district attorney being voted out of office.
- James O'Neill, a Harvard Law School graduate who, 35 years ago, started Legal Outreach, a highly successful legal diversity pipeline program. Subsequent to his talk, the New York office became a co-sponsor of Legal Outreach's Summer Law Institute at New York University Law School, a program geared to eighth-graders who want to learn about law.

- Omari Mason and Aki Akiwowo, JP Morgan and Morgan Stanley lawyers, respectively, who spoke about their companies' efforts to promote diversity within their own legal departments, as well as within the outside firms they hire.
- Bronx District Attorney Darcel Clark, the first woman in that position and the first African American woman to serve as a district attorney in New York State.

In June, the Orange County office kicked-off a diversity speaker series book club aimed at furthering the dialogues initiated during select firm-wide Speaker Series programs. Books discussed included:

- Joanne Lipman's *That's What She Said: What Men Need to Know (and Women Need to Tell Them) About Working Together* and
- Darnell Moore's *No Ashes in the Fire: Coming of Age Black and Free in America*.



Juan Arteaga, Puja Shah, Darnell Moore, and Preetha Chakrabarti

Summer Associate Diversity Dinners

In 2018, Crowell & Moring continued its practice of hosting summer associate diversity dinners in Washington, D.C. and California, aimed at furthering the firm's commitment to diversity, inclusion, and community building. Dinners were held in the Washington, D.C., San Francisco, Los Angeles, and Orange County offices and were hosted by Diversity Council Steering Committee members Michelle Gillette and David McFarlane; Diversity Council members Niran S. Somasundaram; and Recruiting Committee co-chair Chahira Solh.

The dinners brought together each office's summer associates, diverse attorneys, staff members, and their families for an evening of casual dining, discussion, and communal fellowship. Discussions ranged from casual networking to more structured article discussions on intersectionality (the interconnected nature of social categorizations, such as race, class, and gender, as they apply to individuals or groups) and bringing one's whole self to the workplace. Guests noted that the events fostered stronger relationships within the offices.



Attendees of partner Chahira Solh's diversity dinner

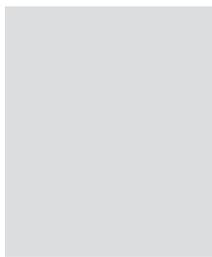
Affinity and Inclusion Networks

Crowell & Moring maintains four diverse attorney affinity groups and two additional resource networks that promote inclusion, community-building, and opportunity within the firm. The groups are led by all levels of lawyers from partner to associate and meet regularly, each setting its own agenda tailored to the particular needs of its members. Topics that the groups address include business development, industry trends, attorney integration, networking/client development opportunities, and current or upcoming events of interest. Several groups also host member outings throughout the year, offering additional networking and socializing opportunities as well as fostering a greater sense of community. In 2018, members of the affinity groups also participated in discussions on enhancing the firm's approach to recruitment and retention of diverse talent.

Hispanic Lawyers Affinity Group Leaders



A. Xavier Baker
Partner



Not pictured:
John L. Murino
Partner

Asian American and Pacific Islander Affinity Group Leaders



Charles C. Hwang
Partner



Diana T. Huang
Counsel

African American Affinity Group Leaders



Elliott P. Laws
Partner

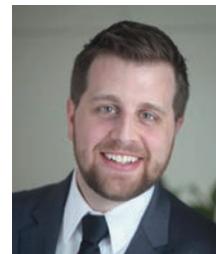


Astor Heaven
Counsel

LGBTQ+ Affinity Group Leaders



Ryan C. Tisch
Partner

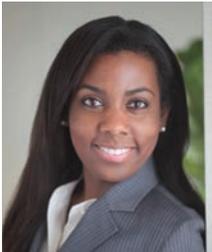


Britton D. Davis
Counsel

Women's Leadership Initiative

Crowell & Moring's Women's Leadership Initiative (WLI), formerly the Women Attorneys' Network, is dedicated to the recruitment, retention, and advancement of our female-identifying (women) lawyers. Led by associates and counsel chosen by the firm's Executive Committee, WLI provides opportunities for women attorneys to develop meaningful relationships with their peers, as well as mentors and sponsors. WLI sponsors professional development programming aligned with its mission of recruiting, advancing, supporting, and retaining a community of talented women attorneys across all of the firm's offices. WLI also serves as a resource to, and actively engages with, firm leadership, regarding issues relevant to women in the profession.

Co-Chairs



Tiffany Wynn
Counsel
Washington, D.C.



Alexis Victoria DeBernardis
Counsel
Washington, D.C.



Sima Namiri-Kalantari
Counsel
Los Angeles

Local Office Leaders



Amanda M. Simpson
Associate
New York



Kimberley Johnson
Associate
San Francisco



Raija Horstman
Counsel
Los Angeles



Judith Bussé
Associate
Brussels/London



Helen Osun
Associate
Washington, D.C.

Balanced Hours Affinity Group



Laura Snodgrass

Since the firm's beginnings in 1979, Crowell & Moring's culture has emphasized flexibility and work-life balance. This approach is evidenced by the number of work arrangements available to

our lawyers—including reduced (balanced) hours, annualized hours, and remote work.

The firm's Balanced Hours Affinity Group, led by certified career coach and Professional Development Counselor Laura Snodgrass, offers lawyers participating in arrangements a forum to discuss issues, challenges, and opportunities relevant to their unique work arrangements, including professional development planning, work/life balancing, and navigating the path to partnership. Crowell & Moring supports the concept that schedules can be tailored to address the needs of our attorneys and accommodate various life situations and requirements experienced by attorneys at any stage of their legal careers, while maintaining excellent client service.

In 2013, the firm adopted a formal balanced hours policy which outlines support of balanced hours arrangements for the firm's attorneys and describes the procedures by which a balanced hours schedule can be established and reviewed. Under this policy, there is no minimum or maximum length of time an attorney may work on a balanced hours schedule. Balanced hours lawyers are compensated and evaluated on the same basis, and through the same process, as attorneys working traditional schedules.

“ I think it's important for our profession to understand that flex shouldn't just be a family or mommy issue. I started working flexibly before I had kids ... The firm has been fantastic about encouraging me and others to have a flex schedule. There is no 'second-class citizen' feeling or distinctions drawn between me and my full-time colleagues; flex is accepted and recognized as part of the firm culture. I think the key to having a successful flex schedule is finding a way to still provide exemplary client service within whatever hour parameters you want to set.

Rebecca L. Springer, Partner

Diversity Focused Pro Bono

For decades, the professionals at Crowell & Moring have fought discrimination and protected diverse individuals whose rights were being threatened through our robust *pro bono* program, earning victories and creating innovative settlements that have required organizations to change policies, conduct trainings, and help prevent future injustices. To this end, the Diversity Council coordinates with the firm's Public Service Committee to continually identify a number of ongoing *pro bono* projects in all of our U.S. offices, for both attorneys and staff.

Two major victories in 2018 include:

- **Obtaining asylum for a Salvadoran man who, because of his gender-nonconforming behavior, had experienced atrocities and violence on numerous occasions at the hands of a violent MS-13 gang leader.** The firm's team prepared a brief describing the past persecution he suffered, arguing that his fear of future persecution was well-founded based on his social and political ties with the LGBTQ+ community. This win is a significant addition to the scant case law regarding heterosexual people with imputed sexual minority status.
- **Representing Lambda Legal in filing an amicus brief to protect the civil and constitutional rights of Puerto Rican citizens.** Puerto Rico's District Court adopted the position advocated in a Crowell & Moring *amicus* brief, enabling an incarcerated transgender litigant in the case to proceed with her claims against Puerto Rico's Bureau of Prisons. In early 2017, in the midst of Puerto Rico's bankruptcy proceedings, she had sued the bureau after an unlawful denial of parole. Her *pro se* suit sought an injunction ordering a new parole hearing to avoid further deprivations of liberty, as well as monetary damages. The Puerto Rican government, joined by the U.S. Department of Justice, sought to stay the case until Puerto Rico's bankruptcy proceedings had concluded. They argued that

the stay precluded even constitutional claims for injunctive relief. The firm, working with Lambda Legal and LatinoJustice PRLDEF, drafted an *amicus* brief opposing Puerto Rico's position and successfully argued that the government's position would allow any municipality or state that filed for bankruptcy to violate the Constitution and other laws with impunity.

Settlement highlights in 2018 include:

- **Filed a lawsuit against Diamond Cab Company in Washington, D.C., for failing to dispatch cabs to the Southeast sector of the district, home to a large minority population.** Diamond agreed to offer services to all on an equal basis, provide training sessions for employees, post complaint procedures, and keep written records concerning discrimination complaints.
- **As co-counsel, represented the NAACP and 42 individual plaintiffs, alleging Cracker Barrel Old Country Stores, Inc., discriminated in its treatment of African American customers across the country.** The consent order required the company to provide new training programs, an enhanced system to investigate and resolve customer complaints of discrimination, and an outside auditor to oversee implementation of nondiscrimination policies and procedures.
- **Represented black farmers, who were previously excluded from participating in the largest civil rights settlement in U.S. history because their requests were filed after the deadline.** The firm negotiated a class settlement with the U.S. Department of Agriculture and advocated for additional federal funding. As a result, approximately 18,000 black farmers were compensated for discrimination.
- **Partnered with the Legal Aid Justice Center in a lawsuit on behalf of several Latino mobile home park tenants, alleging violations of the federal Fair Housing Act and several Virginia**

tenant protection statutes that created a culture of fear at the park. The park owners agreed to terminate the park manager, hire a new manager who spoke Spanish, offer year-long leases to all tenants, revise certain park rules and regulations, and pay five Latino families a confidential monetary award.

Pending Voting Rights Act case with historic significance:

In 2016, Crowell & Moring, the Lawyers Committee for Civil Rights Under Law, and several Alabama civil rights litigators filed a lawsuit on behalf of four Alabama voters and the Alabama NAACP, challenging the state’s method of electing appellate judges. The suit, filed under Section 2 of the Voting Rights Act, alleges that Alabama’s system of at-large elections for the state’s three appellate courts—the Supreme Court, Court of Criminal Appeals, and Court of Civil Appeals—discriminates against black voters. As a result of this at-large system, no black judges have been elected to any of Alabama’s 19 appellate judgeships for 25 years, no black judicial candidate has won a statewide office without first being appointed by the governor, and no black judge has ever served on either of the appeals courts.

After surviving a motion to dismiss the suit last year, the firm’s team, led by partner Keith J. Harrison and senior counsel Richard E. Schwartz, presented its case in federal district court in Montgomery, Alabama, during a six-day trial in November 2018. The proceeding culminated in the court ordering all parties to file post-trial briefs. Briefing is ongoing. Also ongoing is an appeal by attorneys for the state of Alabama, seeking to overturn the denial of the motion to dismiss. On December 14, 2018, Harrison presented oral argument in the appeal before the 11th Circuit Court of Appeals.

This historic case raises a multitude of significant issues, including whether Section 2 of the Voting Rights Act applies to judicial elections; whether the Voting Rights Act abrogates state sovereign immunity; and, what is the extent of Congress’ powers under the Reconstruction Amendments.

In addition to Keith and Richard, the Crowell & Moring team includes counsel Diana A. Jeschke, Britton D. Davis, Jay DeSanto, and Sima Namiri-Kalantari; associate Eric A. Stahl; and trial specialist Pam Davis.

Crowell & Moring Wins 2018 ABA Death Penalty Representation Project Exceptional Service Award

Crowell & Moring is proud to have been honored with the 2018 Exceptional Service Award from the American Bar Association’s Death Penalty Representation Project. The award recognizes the work of volunteer law firms for “exceptional commitment to providing high quality *pro bono* representation for indigent death row prisoners.”

Over the past two decades, Crowell & Moring has devoted more than 25,000 hours to death penalty representation, investing approximately \$11 million worth of attorney time to these matters. Clients have included inmates on death rows across the United States, including in Ohio, Florida, Virginia, Mississippi, Texas, Alabama, and Oklahoma. One notable representation exemplifies the firm’s recent work in this arena:

Crosley Green v. Secretary, Department Of Corrections and Attorney General, State Of Florida

The Death Penalty Representation Project referred Crosley Green’s case to Crowell & Moring in 2008. At the time, Green had served 18 years on death row in Florida for the murder of Charles Flynn, Jr., a 22-year-old man, in Mims, Fla. In 1990, an all-white jury convicted Green, a black man, of first-degree murder and sentenced him to death. In 2009, Crowell & Moring won a reduced sentence for Green, securing his release from death row. He was re-sentenced to concurrent terms of 17 years and a consecutive term of life in prison without eligibility for parole before 25 years on convictions related to Flynn’s death. During his 29 years in prison, Green has consistently maintained his innocence.

On July 20, 2018, the U.S. Middle District Court in Florida found that prosecutors had withheld key evidence, denying Green his constitutional right to a fair trial. The court gave the state 90 days to either initiate proceedings for a re-trial or release him. Prosecutors appealed that ruling a few weeks later, winning a stay on the 90-day clock.

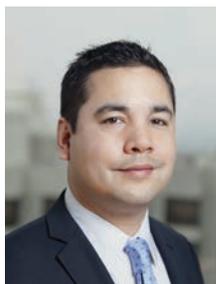
Crowell & Moring’s team of attorneys on Green’s case are partners Keith J. Harrison and Jeane A. Thomas, counsel Vincent J. Galluzzo, and senior pro bono paralegal Virginia Martin. Former Crowell & Moring associate Stacie Lieberman, now a senior staff attorney at the Capital Post-Conviction Project of Louisiana, is also a member of Green’s team.

Promotions

Women, Attorneys of Color, LGBTQ+ Attorneys Named Partner and Counsel

In 2016, Crowell & Moring's Diversity Council established, as one of three strategic objectives for the firm, to ensure opportunities for our diverse lawyers to excel and be promoted from within. Of the seven lawyers elected to partnership effective January 1, 2018, two were lawyers of color and two were women. Twenty-four associates were promoted to counsel, including fifteen women, eight lawyers of color, and one LGBTQ+ lawyer. The following are some of the recently promoted partners and counsel.

Bios of Diverse Lawyers Elected to Partner in 2018



Nathaniel P. Bualat is a partner in Crowell & Moring's San Francisco office and a member of the firm's Litigation Group. Nate's practice focuses on complex commercial, university technology licensing, and health care litigation. He represents clients in all aspects of litigation, from

pre-litigation investigation counseling through trial and appeal. Nate joined the firm in 2009, coming from the San Francisco firm of Folger Levin & Kahn LLP. From 2011-13, *Super Lawyers Magazine* named him a Northern California Rising Star. Nate is a 2003 *cum laude* graduate of the University of California Hastings College of Law and a *magna cum laude* graduate of San Francisco State University, with a bachelor's degree in sociology.

“Crowell values collaboration and collegiality. Besides making for a better workplace, those traits help diverse attorneys such as myself gain exposure and opportunities. I try to foster that environment for others.”

Nate Bualat, Partner



Ilana Lubin is a partner in the firm's New York office and a member of the Corporate Group. Ilana frequently represents clients in the apparel, fashion, retail, luxury, and beauty sectors regarding cross-border and domestic mergers and acquisitions, joint ventures, and private

equity investments. Her experience includes negotiating and drafting intellectual property licensing agreements and providing advice with respect to other general corporate and commercial transactions. She has also worked in-house advising business units worldwide, notably in connection with global merger and acquisition and licensing activity.

Most recently, Ilana was instrumental in forming and leading the C&M Fashion and Beauty Breakfast series, designed to create a community of fashion and beauty industry executives.

Ilana joined Crowell & Moring as an associate in 2013 and was promoted to counsel in 2016. In 2017, *The M&A Advisor* recognized her as an Emerging Leader and *Super Lawyers Magazine* has named her a Rising Star annually since 2015. In November, 2018, Ilana spoke at the Women in Law & Leadership Summit in New York City as a panelist in a discussion titled “Mentor and Sponsorship: Creating Growth in Your Organization.” She enjoys mentoring and is an active participant in the New York office's book club for students from the all-girls Urban Assembly School for Criminal Justice. Ilana is a 2007 graduate of the Benjamin N. Cardozo School of Law, where she served as an editor of *The Cardozo Journal of Law and Gender*. She earned her bachelor's degree in policy analysis and management at Cornell University.

John L. Murino joined Crowell & Moring as an associate after serving as a judicial law clerk to the Honorable Deborah A. Robinson of the U.S.

District Court for the District of Columbia. John is a partner in the firm's Washington, D.C., office, where he participates in the International Dispute Resolution, Litigation, and Intellectual Property Groups. He represents clients in commercial and investment arbitrations and complex civil litigation, with many of the disputes involving the actions of foreign corporations, sovereigns, and international organizations. John's experience spans the globe and encompasses industries that include hospitality, financial services, defense contracting, natural resources, manufacturing, media, software, and technology. He also regularly counsels clients regarding issues related to internet governance, websites, and sovereign immunity.

John is a co-leader of the firm's Hispanic Lawyers Affinity Group and is a sought-after speaker on numerous topics in his areas of practice. He earned his J.D., with honors, from The George Washington University Law School, where he was a member of the *Public Contract Law Journal* and the Moot Court Board. John also served as a public interest fellow at the Public Defender Service for the District of Columbia. He is on the Steering Committee for the American Bar Association International Law Section's Latin American and Caribbean Committee and, for the past six years, has served as a member of the Executive Committee of the Board of Directors of GW Law's Alumni Association. He has a bachelor's degree in political science and international relations from the University of Michigan.



Rebecca L. Springer joined Crowell & Moring as an associate in 1999, upon her graduation from Duke University Law School. Rebecca is a partner in the Labor & Employment Group and the Education Practice in the firm's Washington, D.C., office. She focuses

her practice on labor and employment litigation, counseling, and compliance, particularly with respect to the affirmative action obligations of federal contractors and the Office of Federal Contract Compliance Programs. She has extensive experience with affirmative action and pay equity matters, representing clients in OFCCP audits, counseling on affirmative action compliance, and advising clients on the design, management, and analysis of compensation and performance management systems. Rebecca's practice also focuses on investigations of harassment, discrimination, and retaliation complaints. Her education practice

includes counseling secondary schools, colleges, and universities on these issues, as well as on Title IX compliance.

In February 2018, Rebecca was the subject of a Diversity & Flexibility Alliance "Spotlight on Flex" article. Discussing how she built a successful career at Crowell & Moring on a reduced-hours flex schedule, Rebecca noted, "While I was mid-career, I thought about leaving the firm because I wasn't sure if I wanted to stay on the partner track ... I talked with my practice group leaders, and they made it clear they wanted me to stay ... They asked me what I wanted and what I thought would be a realistic career path; they let me know I was valued ... So, for the past 10 years, I've worked reduced hours (ranging between 75-85 percent), and while working this flexible schedule, I became a partner in 2018."

Bios of Diverse Lawyers Promoted to Counsel in 2018



Tiffany Wynn joined Crowell & Moring in 2011, after earning her J.D. from Georgetown University Law Center. Tiffany is a counsel in the Washington, D.C., office and a member of the firm's White Collar & Regulatory Enforcement Group. Her practice is focused on representing individual and

corporate clients in matters involving allegations of fraud and regulatory non-compliance, including Foreign Corrupt Practices Act investigations and False Claims Act litigation. She also has an active *pro bono* practice and currently serves as a co-chair of the firm's Women's Leadership Initiative.

In 2017, Tiffany was selected by the firm to participate in the Leadership Council on Legal Diversity's year-long Pathfinder program for early-career, high-potential, diverse attorneys. (See article on page 31.) While in law school, she successfully represented victims of employment discrimination who were clients of the Institute for Public Representation, a public interest law firm and law school clinic founded by Georgetown University Law Center.

As a summer associate at Crowell & Moring, Tiffany participated in the firm's Public Interest Fellowship program and spent half of her summer as an intern for the National Women's Law Center, a nonprofit that works to protect and advance equality and opportunity for women and families. In addition to

her J.D., Tiffany has an A.B. from Duke University, where she studied political science, African and African American history, and public policy.



Rebecca Suárez began her legal career in Crowell & Moring’s San Francisco office, after graduating from the University of Southern California Gould School of Law in 2012. Rebecca practices in the Litigation Group, focusing on complex litigation and arbitrations.

She has broad litigation and trial experience in a variety of industries, including retail, bankruptcy, and health care. In 2017, she was selected by the firm to participate in the Leadership Council on Legal Diversity’s year-long Pathfinder program for early-career, high-potential, diverse attorneys.

As a law student, Rebecca selected Crowell & Moring based on her experience as a summer associate in San Francisco. While in law school, she was a certified student intern with the USC Post-Conviction Justice Project, where she represented women serving indeterminate life sentences in *habeas* proceeding and parole hearings. In addition to her J.D., Rebecca has a bachelor’s degree in philosophy from Wellesley College.



Preetha Chakrabarti started as a summer associate in 2011. Now a counsel in the New York office, Preetha is a member of the Intellectual Property and Environment & Natural Resources Groups. Her IP practice consists of litigation, counseling, and prosecution; her patent and trademark

litigation work includes proceedings before the Trademark Trial and Appeal Board. Her clients come from industries ranging from chemicals to pharmaceuticals, biotech, software, apparel, fashion, retail, luxury, beauty, and wearable technology.

Preetha also assists in licensing matters, IP issues in corporate transactions, and with trademark clearance and the trademark and patent applications process with the U.S. Patent and Trademark Office. Her environmental experience includes advising and representing clients on regulatory issues arising under the Administrative Procedure Act and various federal and state environmental laws.

Preetha graduated *magna cum laude* from Fordham University School of Law, where she was a Stein Scholar for Public Interest and a notes and articles editor for the *Environmental Law Review*. She earned her bachelor’s degree, *cum laude*, in biology and classics from Brown University and also received a master’s degree in secondary science education from Columbia University’s Teachers College.

For her distinguished record of commitment to traditions of the Bar through public service and professional activities, Preetha was recently awarded the Outstanding Young Lawyer Award from the New York State Bar Association. She will be joining the Honorable Ojetta Rogeriee Thompson of the U.S. Court of Appeals for the First Circuit as a law clerk in Fall 2019.



Tiffany Chang joined Crowell & Moring’s Orange County office in early 2014, after serving as in-house counsel at Kofax, Inc., an international process automation software provider. Tiffany practices in the firm’s Antitrust Group, concentrating in claims recovery in large antitrust and tort settlements.

A fierce advocate for LGBTQ+ rights, she is a founding and current board member of the Orange County Lavender Bar Association and maintains emeritus status with the Orange County Equality Coalition. She has an active *pro bono* practice representing LGBTQ+ migrants seeking asylum in the United States.

Tiffany is a 2010 graduate of Chapman University Fowler School of Law, where she successfully reignited the school’s OutLaw group, an organization working to promote the interests of gay, lesbian, and transgender students, faculty and staff members, and allies. She also received the law school’s Commitment to Service Award for her *pro bono* work and the Professionalism Award for her representation of the law school to the legal profession and larger community.

Tiffany has spoken about issues of bias in the workplace, serving as a panelist during a 2018 Orange County Bar Association Young Lawyers Division seminar titled “Overcoming Bias in the Workplace: Are We There Yet?”

Before earning her J.D., Tiffany received a B.A. in psychology and social behavior from the University of California, Irvine.

Recruitment

New Hires in 2018: Firm Continues to Strengthen Efforts to Recruit Diverse Attorneys

In line with the Diversity Council's efforts to further its objective of recruiting diverse lawyers, the firm continued its concerted outreach to women, LGBTQ+ attorneys, and attorneys of color, resulting in a 70 percent yield of women and diverse lateral partner hires. The following are among the lateral partners who joined Crowell & Moring in 2018.



Kathy Hirata Chin is a highly regarded health care lawyer who joined Crowell & Moring as a partner in October 2018 to help launch the firm's New York Health Care Practice. Kathy also has wide experience in various forms of real estate litigation. In the health care arena, she has successfully

represented individual health care providers and provider associations in state and federal courts and in regulatory and compliance investigations. Her real estate litigation practice has included disputes over transferable development rights, leasehold valuations, and local law compliance issues, as well as foreclosures.

In addition to her legal practice, Kathy is extensively involved in public and community service and is known as a champion for increased diversity in the legal profession. She is a member of the New York City Commission to Combat Police Corruption, the New York Courts Attorney Emeritus Program Advisory Council, and the New York Supreme Court Commercial Division Advisory Council; she is vice chair of the board of directors of the Medicare Rights Center and a member of New York Gov. Andrew Cuomo's New York State First Department Judicial Screening Committee. She also serves as co-chair of the Enhance Diversity in the Profession Committee of the City Bar.



Kathy has previously been an appointed member of numerous committees and commissions dealing with New York state and federal courts, and issues of bias and diversity in the legal profession. She has served on the boards of directors of New York Lawyers for the Public Interest and the New York County Lawyers Association.

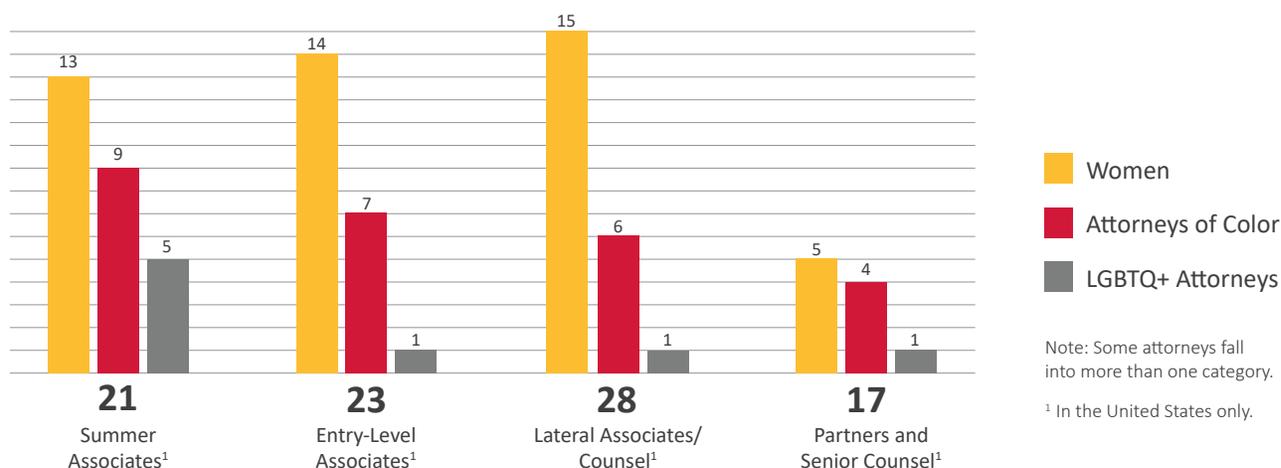
She has been recognized as a Leader Among Us: Asian American Women by the National Asian Pacific American Bar Association; a Diversity and Inclusion Champion by the New York City Bar Association; and, a 25th Anniversary Celebrant by Apex for Youth, a nonprofit providing mentoring and educational programs for underserved Asian and immigrant youth in New York City. Kathy recently received the Lillian D. Wald Award from the Visiting Nurse Service of New York, the inaugural Hong Yen Chen Award from Columbia Law School's Asian Pacific American Law Students Association, and the Women's Leadership Award from the Asian American Bar Association of New York.



Richard McNeil is a veteran environmental lawyer with more than 30 years of private practice experience litigating and counseling on environmental matters for clients in the manufacturing, chemical, land development, aerospace, metal, and insurance industries. As an

addition to the Environment & Natural Resources Group in the firm's Orange County office, Rick broadens the national reach of the group. A successful trial attorney, he is also a member of the firm's Litigation Group and has substantial experience in general business, real estate, and land use matters. Rick is also an experienced mediator, having mediated many commercial, land use, and environmental cases.

2018 Recruitment Statistics



Rick’s environmental experience spans nearly all aspects of federal and California law. He has been involved in the majority of Superfund sites in Southern California, numerous Resource Conservation and Recovery Act sites throughout the state, a wide range of Clean Water Act and Clean Air Act regulatory and enforcement matters, brownfield redevelopment, hazardous waste, and endangered species matters, among others.

He is a frequent speaker and writer on environmental and real estate issues and is a member of the American Law Institute, where he is contributing to the current revision of the Restatement of the Law Fourth, Property. Rick is a member of the board of directors of the Orange County Bar Association (OCBA) and co-chair of its Diversity Committee; he also serves on its *Pro Bono* Committee. He was recently honored by the OCBA with its Be the Change award, in part, for his work as chair of the OCBA’s Diversity Committee.

Rick is also a member of the board of directors for Legal Aid of Orange County and is chair emeritus of the Pacific Chorale, a symphonic choral organization that provides free after-school music education to inner-city children.



Holly A. Melton is an advertising and marketing lawyer who regularly represents consumer goods and services companies, large brands, and telecommunications providers in self-regulatory

and governmental enforcement matters. Holly joined Crowell & Moring’s New York office as a key member of the firm’s Advertising & Media Practice in October 2018.

She represents clients in proceedings before the National Advertising Division of the Council of Better Business Bureaus and assists clients in responding to investigations and enforcement matters initiated by regulators, including the Federal Trade Commission, state attorneys general, and local law enforcement agencies. She regularly advises clients on advertising and marketing laws, rules and compliance, as well as FTC guidance. Holly also assists clients with ensuring that advertising claims are appropriately substantiated. She has broad experience representing clients in consumer class action litigation, arbitrations, and other complex litigation matters, with a particular emphasis on initiating and defending against false advertising and unfair competition claims.

Holly’s *pro bono* work includes representing a Venezuelan individual seeking asylum due to abuses suffered in his country of origin based on his sexual orientation. She also participated in a workshop assisting low-income individuals seeking to start their own businesses, advising on appropriate designations and compliance.

Holly earned her J.D., *cum laude*, from the University of Houston Law Center, where she served as the candidates editor for the *Houston Journal of International Law*. She received her B.A., *summa cum laude*, in government, from the University of Texas.



David R. Stepp joined Crowell & Moring in August 2018 as a partner in the firm's International Trade Group in Los Angeles. David is a highly respected global customs and trade compliance lawyer with more than 30 years of experience. He advises multinational companies and

importers as they move goods across borders and establish subsidiaries around the world. He counsels clients on their global e-commerce strategies, conducting global customs and international trade audits, and assisting them on improving, benchmarking, and coordinating compliance programs across borders.

David has practiced in Los Angeles, Singapore, and Washington, D.C. While in Singapore, he led initiatives focused on strategic business and professional development in Southeast Asia. David is admitted to practice before the U.S. Court of

International Trade and the U.S. Court of Appeals for the Federal Circuit.

David currently serves on the board of directors for the Northern California World Trade Center. He is past president and board chairman of the International Visitors Council of Los Angeles; past president of the Global Legal Customs Association; and a former vice chair of the American Bar Association's Customs Law Committee. For 10 years, he taught the Los Angeles Customs Brokers and Freight Forwarders Association's course preparing students to take the customs brokers licensing test.

David is a frequent speaker and writer on global customs and international trade issues. After representing electronics and automotive companies in the negotiation of the North American Free Trade Agreement rules of origin for their products, he authored a guidebook on NAFTA procedures for a major U.S. electronics trade association. He has lectured in Asia, Europe, and the Americas on the scope and effect of many bilateral and multilateral free trade agreements.

Alliances

Firm Lawyers Participate as 2018 Leadership Council on Legal Diversity Fellow, Pathfinder

In 2018, Crowell & Moring received the Leadership Council on Legal Diversity's (LCLD) Compass Award, a newly created honor that recognizes individuals and organizations that have, during a calendar year, participated in LCLD programs, including its Fellows, Pathfinder, and Pipeline programs. The firm, which has consistently been designated a LCLD Top Performer, was one of only 28 member organizations that earned the added distinction of the Compass Award in 2018. Crowell & Moring was one of the first law firms to sign on as a member of LCLD when it launched in 2009. Today, LCLD has more than 300 corporate and law firm members, and its action programs span the development timeline of legal professionals from law school to senior executive. In 2018, Crowell & Moring once again participated in three of LCLD's most important initiatives: the Fellows, Pathfinder, and 1L Scholars programs.

Fellows Program



Trina Fairley Barlow served as Crowell & Moring's 2018 LCLD Fellow. Trina is a labor and employment partner whose clients include government contractors, major health care organizations, tech companies, intellectual property firms, universities, and national real

estate companies. During the year-long program, she joined 290 other Fellows—high-potential, mid-career attorneys from diverse backgrounds—as well as general counsel of Fortune 500 companies and managing partners of the most influential law firms in the United States, to network and exchange ideas.

The LCLD Fellows Program, launched in 2011, aims to produce lawyers with strong leadership skills who are committed to fostering diversity within their own institutions and in the broader legal profession. The program's curriculum emphasizes relationship building, transformational leadership, and professional branding. The list of past Crowell & Moring fellows includes partners A. Xavier Baker (2017), Chahira Solh (2016), and Beatrice B. Nguyen (2014); and counsel Astor Heaven (2012). Partners Lorraine M. Campos and Juan A. Arteaga participated as fellows at their prior firms.

Pathfinder Program



Sharmistha Das, an associate in the Environment & Natural Resources and Government Contracts Groups and an active participant in the firm's Privacy & Cybersecurity Group and Administrative & Regulatory Law Practice, was selected as Crowell & Moring's 2018 LCLD

pathfinder. Sharmi focuses her practice on providing affirmative and defensive claims counseling to clients in connection with substantial and technically complex government contracts; representing government contractors in bid protests and False Claims Act (FCA) litigations; assisting clients in connection with FOIA requests; and analyzing cutting-edge case law under administrative law principles to assess any potential impact on affected industries. Previous pathfinders include counsel Rebecca Suarez and Tiffany Wynn (2017); counsel Diana T. Huang (2016); and counsel Preetha Chakrabarti (2015).

Crowell & Moring was one of the initial firms to participate in the Pathfinder program when it was created in 2015. The program provides an opportunity for early-career diverse lawyers to develop foundational leadership skills and relationships with their peers in companies and firms.

1L Scholars Program

In an effort to enhance the firm's diverse talent pipeline, we also participates in LCLD's 1L Scholars Program, through which the firm recruits a diverse first-year law student to join our summer associate program. Since 2012, an LCLD scholar has joined the firm's summer associate program each year to experience working at Crowell & Moring first-hand. We have also shared a first year, over the course of the summer, with Lockheed Martin, an LCLD corporate member.

“ I greatly appreciated the opportunity to connect with other young, diverse lawyers across the country, hear about their experiences, and engage with one another on some of the professional challenges we all face... it provided an array of different perspectives and creative solutions to those challenges.

Sharmi Das, Associate

“ The LCLD Fellows program presented a critical and unique opportunity for me to develop and deepen relationships with a variety of senior in-house and law firm attorneys ... and to reflect on ways to not only expand my own professional development, but also to be a better partner, leader, business developer, mentor, and firm citizen.

Trina Fairley Barlow, Partner

LCLD Pathfinders



LCLD Fellows



Above: LCLD Fellows (from left to right, top to bottom) partners Trina Fairley Barlow, A. Xavier Baker, Chahira Solh, Beatrice B. Nguyen, Lorraine M. Campos, Juan A. Arteaga; counsel Astor Heaven

Left: LCLD Pathfinders (from top to bottom) associate Shamistha Das; counsel Rebecca Suarez, Tiffany Wynn, Diana T. Huang, Preetha Chakrabarti



Ellen Moran Dwyer

LCLD 2018 Annual Meeting, Leadership Summit

At the LCLD 2018 Annual Meeting in Washington, D.C., Ellen Moran Dwyer, partner and chair of Crowell & Moring's Executive Committee, participated on a panel titled "A Conversation at the Intersection of Leadership, Innovation, and Inclusion." The panel was moderated by Martha Minow, former dean of Harvard Law School and the current Harvard University 300th Anniversary University professor. In addition to Ellen, panelists included Laura Stein, executive vice president and general counsel, The Clorox Company; Dev Stahlkopf, general counsel and corporate vice president, Microsoft; Deneen Donnley, general counsel and corporate vice president, USAA; and, Kim Rivera, chief legal officer and general counsel, HP Inc. Each discussed their perspectives on leadership and inclusivity from the early stages of their careers to their roles as leaders in their organizations.

"As leaders, we have a special responsibility to be attentive to everyone around us, not just who you're comfortable with. Everyone here has sat on the outside of a circle and looked for a way to move in.

A leader should create that space," Ellen told the panel. As part of her comments, she also mentioned how well-received Crowell & Moring's Sponsorship 2.0 initiative has been as an innovation to advance inclusion within the firm, calling it "a reminder of the power of connections."

In June, Ellen also participated in the LCLD 2018 Leadership Summit at Harvard University. As a member of LCLD's Innovation Committee, she helped facilitate a discussion among 29 corporate and law firm attendees who offered their thoughts on five major diversity and inclusion issues facing the profession: (1) goals and measurement; (2) collaboration; (3) talent development (access); (4) talent development (process); and (5) leadership.

Ellen has served on the LCLD Board since 2014 and is currently a member of its Innovation Committee. Ellen's reputation throughout the legal industry as a champion of diversity and inclusion in the profession was exemplified by her recognition in 2016 as an LCLD individual Top Performer, for her commitment to the organization.

Minority Corporate Counsel Association

Crowell & Moring is a long-time active supporter of the Minority Corporate Counsel Association (MCCA), one of the United States' foremost voices and think tanks on diversity and inclusion in the legal profession addressing not only issues of race/ethnicity, gender, and sexual orientation, but also disability status and generational differences that impact the legal profession's workforce. Its premiere event, the annual Creating Pathways to Diversity Conference and Gala was held in October in New York City, with several firm lawyers participating.

During the conference, firm partner Juan A. Arteaga was honored as a 2018 MCCA Rising Star. This award recognizes lawyers whose accomplishments and dedication to the legal profession and community place them among attorneys to watch. Juan was one of 10 lawyers nationwide—five law firm lawyers and five in-house lawyers—to receive this recognition. He joined Crowell & Moring in 2017 after serving for four years as a senior official in the U.S. Department of Justice's Antitrust Division, including as the deputy assistant attorney general for civil enforcement. Juan has been a champion for diversity and inclusion inside and outside the firm, and has served actively on the firm's Diversity Council Steering Committee, Associate and Counsel Recruiting Committee, and Lawyer Development Committee.

Partner David McFarlane served on the conference's Advisory Council, helping to select topics and speakers for the conference. Like Juan, David has also been an invaluable member of the firm's Diversity Council Steering Committee.

“ There is a growing self-determination and power amongst diverse attorneys. Being able to connect with other attorneys who continue the climb toward more inclusiveness in the practice of law is essential.

David McFarlane, Partner

During the conference, counsel Samuel W. Krause participated in a panel discussion titled “Creating an Inclusive Environment for Attorneys with Disabilities and Developing Best Practices.” Sam was one of two panelists with a disability and shared his personal experiences and best practices for hiring, retaining, and promoting lawyers with disabilities.

Partner Trina Fairley Barlow moderated a discussion titled “Moving from Meaningless Metrics to Measurable Results: Examining the First Two Years of the Mansfield Rule.” Panelists included partners from two firms that were at different stages of implementing the Mansfield Rule and an in-house senior counsel whose company is a leader in supporting Mansfield-certified law firms. The panel explored how the Mansfield Rule (see opposite page) is changing the legal profession's business-as-usual approach to leadership and promotion decisions, boosting law firm diversity efforts, and closing the gaps for women and minorities in leadership roles in Big Law.

David and Sam also spoke at the MCCA's annual Global TEC Forum in Austin, Texas in April, as panelists in a discussion titled “Bitcoin in Your 401(k)? Doesn't Matter, Cyber-Thieves Are Going to Hack and Drain It Anyway.” The Forum provides a platform for women and attorneys from diverse backgrounds to share the latest best practices and challenges facing the legal profession, along with emerging technologies that are changing the practice of law.

Legal Diversity & Inclusion Alliance – Brussels

Crowell & Moring is proud to be a co-founding member of the Legal Diversity & Inclusion Alliance (LDIA), a first-of-its-kind initiative in the Brussels legal market. The purpose of the LDIA is to build a diverse and inclusive workplace in which all benefit from equal treatment and opportunities, irrespective of race, ethnic or social origin, gender or sexual orientation, age, disability, language, religion, political preference, or any other ground of personal discrimination.

As one of 35 co-founding law firm members with offices in Brussels, the firm signed on to the LDIA Charter, a written pledge to work to eliminate discrimination in the workplace, promote an inclusive organizational culture, and commit to taking tangible actions to fulfill these objectives.

Specifically, as a group, LDIA members will build a cross-law firm alliance focusing on diversity and inclusion; exchange best practices on diversity and inclusion; and combine efforts to hold events, workshops, trainings, etc., to raise awareness of discrimination and diversity issues.

The alliance held an event on January 31, 2019, at the Hotel Le Châtelain in Brussels. Attending the event from Crowell & Moring's Brussels office were partners Kristof Roox and Maarten Stassen; senior counsel Geert Bogaert; counsel Heidi Waem; associates Marieke Van Nieuwenborgh, Laura van Kruijsdijk, Evelien Jamaels, Louis Vanderdonck; and professional staff members Dieuwke Rethmeier and Caroline Bogaert.

Crowell & Moring Signs-On to Diversity Lab's Mansfield Rule 2.0 Initiative

In July 2018, Crowell & Moring signed-on to Diversity Lab's Mansfield Rule 2.0 initiative, an innovative effort to close the gender gap and boost diversity in law firms, utilizing data to encourage and measure meaningful progress related to lateral hiring, promotions, leadership position appointments, and client development.

Named for Arabella Mansfield, the first woman admitted to the practice of law in the United States, the initiative measures whether law firms are affirmatively considering women attorneys, LGBTQ+ attorneys, and attorneys of color for leadership and governance roles, equity partner promotions, and lateral positions. It was inspired by the NFL's Rooney Rule, which requires every NFL team to interview at least one minority candidate for head coach vacancies.

To achieve Mansfield Rule objectives, participating law firms are required to first establish baseline metrics by which to assess and analyze their talent pipelines. The firm's Recruiting Committee, Talent Development

Committee, Professional Development Department, and Attorney Recruiting Department regularly review data reflecting the results of inclusion efforts related to lateral hiring, promotions, and leadership position appointments.

The first three months of tracking these efforts showed that Crowell & Moring not only met, but exceeded, the Mansfield Rule's 30 percent consideration goals for including women, attorneys of color, and LGBTQ+ attorneys in lateral associate, counsel, and partner recruiting.

Crowell & Moring will seek Mansfield Rule certification in 2019, which will require us to report our success or failure rates to meet the 30 percent consideration goal in each tracking category.

Members of the firm's Mansfield Rule 2.0 taskforce include John S. Gibson, partner and co-chair of the Diversity Council Steering Committee; Marguerite Eastwood, the firm's chief human resources officer; and Diversity & Inclusion Specialist Lauren Jenkins.

Firm Honors and Recognitions

Working Mother Names Crowell & Moring to 2018 List of Best Law Firms for Women



In 2018, *Working Mother*, in collaboration with the American Bar Association (*ABA Journal*), named Crowell & Moring one of the Best Law Firms for Women. This was the seventh consecutive

year that the firm has made the list. In making its selections, the publication considered firms' policies on and commitment to advancing women lawyers and attention to work-life balance. The winning firms lead the industry in such initiatives as supporting flexible work arrangements and offering generous paid parental leave policies.

Working Mother's annual rankings are based on a survey that contains more than 300 questions about attorney representations, schedule flexibility, paid time off and parental leave, and the professional development and retention of women.

Working Mother highlighted the firm's Women Attorneys' Network (now known as the Women's Leadership Initiative); the Balanced Hours Affinity Group; and the firm's sponsorship program.

Firm Receives 100 Percent Rating on Human Rights Campaign's Corporate Equality Index



For the seventh consecutive year, Crowell & Moring earned a perfect 100 percent score on the Human Rights Campaign Foundation's Corporate

Equality Index (CEI). The CEI national benchmarking survey rates companies based on their policies and practices related to LGBTQ+ workplace equality. The firm's perfect score places it on the HRC Foundation's 2018 list of Best Places to Work for LGBTQ Equality.

The 2018 CEI survey rated 1,084 U.S. employers, including 160 of the United States' 200 largest law firms, in the report. The survey's rating criteria

had five key pillars: (1) non-discrimination policies across business entities; (2) equitable employment benefits for LGBTQ+ workers and their families; (3) demonstrated organizational competency and accountability around LGBTQ+ diversity and inclusion; (4) public commitment to LGBTQ+ equality; (5) responsible citizenship.

Firm Ranks As #5 Best Law Firm for Minority Attorneys in Law360 2018 Diversity Scorecard



Crowell & Moring was listed among the top law firms for minority attorneys in *Law360's* 2018 Diversity

Snapshot. The firm ranked fifth among law firms in the 300 to 599 lawyers size category for the racial and ethnic diversity of its attorneys.

Law360 surveyed more than 300 U.S. law firms. Firms were evaluated on four criteria: (1) total minority lawyers; (2) minority non-partners; (3) minority partners; and (4) minority equity partners. Only U.S.-based attorneys were included in the survey.

Additional accolades and recognitions include:

- #24 on *AmLaw's* 2018 A-List, up 6 spots from 2017, with increases in Diversity (now 76.5) and Associate Satisfaction (now 83.5) scores
- #48 in *AmLaw's* 2018 Diversity Scorecard, up 18 spots from 2017
- #83 on *NLI* 500 Women in Law scorecard, up 6 spots from 2017
- Vault Associate Rankings
 - Top 10 Best Law Firms to Work For/2019 (#9)
 - #11 LGBT Diversity
 - #12 Overall Diversity
 - #12 Diversity for Minorities
 - #12 Diversity for Women
 - #5 Best Firm for Diversity



Rick McNeil receiving the Orange County Bar Association's Be the Change Award



Susie Hoffman, president of the D.C. Bar for the 2019-20 term

Individual Lawyer Honors and Recognitions

In 2018, a variety of significant organizations and legal publications recognized and honored a number of Crowell & Moring's women and diverse attorneys. Among them were:

- **Juan A. Arteaga**, partner: *New York Law Journal* Distinguished Leader, for exceptional legal and leadership skills and furthering important initiatives within the firm and legal profession. Minority Corporate Counsel Association Rising Star for his strong commitment to excellence and "compassion for those in need and strong desire to give back to others."
- **Laura Foggan**, Insurance/Reinsurance Group chair: *Benchmark Litigation* Top 250 Women in Litigation, for her litigation and comprehensive arbitration, mediation, and alternative dispute resolution work.
- **John S. Gibson**, partner: Savoy magazine Most Influential Black Lawyers, for his successful save-the-company litigation practice and role as a "champion for diversity/inclusion and social justice."
- **Emily Kuwahara**, partner: a National Asian Pacific American Bar Association 2018 Best Lawyer Under 40, for prominence in the profession and strong commitment to Asian Pacific American civic or community affairs.
- **David McFarlane**, partner: *Los Angeles Business Journal* 2018 Most Influential Minority Attorneys in Los Angeles, for his "high-level guidance on the Employee Retirement Income Security Act ... health care reform law, and employee benefits."
- **Rick McNeil**, partner: Orange County Bar Association's Be the Change award, given, in part, for his work as chair of the OCBA's Diversity Committee.
- **Susan M. Hoffman**, Public service/*Pro Bono* partner: elected president-elect of the D.C. Bar for the 2018-19 term. Susie will become the bar's 48th president in 2019.
- **Monty Cooper**, counsel: *Washington Business Journal's* 40 Under 40 in 2018 list, for his litigation practice and his role as chair of the Prince George's County Redevelopment Authority.
- **Ashley R. Riviera**, counsel: *Latinvex's* Top 100 Female Lawyers in the FCPA & Fraud and Arbitration and Litigation categories.
- **Mariana Pendás**, international associate: *Latinvex's* Latin America's Rising Legal Stars, recognizing 50 lawyers from 38 international law firms doing business in Latin America.



Crowell & Moring is an international law firm with approximately 550 lawyers representing clients in transactional, regulatory, litigation, and arbitration matters. The firm has also been recognized for its ongoing commitment to *pro bono* service and diversity. Crowell & Moring has offices in Washington, D.C., New York, Los Angeles, San Francisco, Orange County, London, and Brussels.

For more information about Crowell & Moring's diversity and inclusion initiatives, please visit our website at crowell.com/diversity.