



# National Conference for the Minority Lawyer



A Unique Program for Litigators, Business Lawyers, In-House Counsel, Solo Practitioners and Government Lawyers

**June 28-29, 2007**

The Seaport Hotel  
200 Seaport Boulevard  
Boston, MA

Sponsored by:



American Bar Association  
Commission on Racial & Ethnic  
Diversity in the Profession


**Register early and save!**

# Welcome

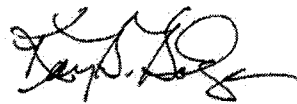
We are pleased to invite you to attend the "National Conference for the Minority Lawyer: A Unique Program for Litigators, Business Lawyers, In-House Counsel, Solo Practitioners and Government Lawyers" to be presented June 28-29, 2007 in Boston, MA. The ABA Section of Business Law and the ABA Commission on Racial and Ethnic Diversity in the Profession have joined together to bring you this important event. This conference will offer you a combination of practical training sessions and cutting-edge, substantive CLE programs designed specifically for minority business lawyers, litigators, and government lawyers.

This distinctive conference will combine real world advice on improving your techniques – such as prospering while promoting diversity, and marketing yourself in your current environment – with timely updates on current legal issues – such as securities law, negotiations and settlements, employment law, mediation strategies, and new developments in e-discovery. In addition, the conference is designed to foster personal interaction with other lawyers of color, including networking receptions, luncheons, and opportunities to share with, and learn from, the experiences of all in attendance. We encourage you to register today and enhance the skills you need to thrive tomorrow.

"One if by land" ... Boston, famous for everything from the Red Sox and Paul Revere to Cheers and clam "chowdah," is the perfect setting for this conference. You can expect an unforgettable two-day program, one you certainly will not want to miss. We look forward to seeing you there!



Linda Hayman  
Chair, ABA Section of Business Law



Kay H. Hodge  
Chair, ABA Commission on Racial  
and Ethnic Diversity in the Profession

# Program Schedule

## Wednesday, June 27, 2007

### **6:00 PM – 7:30 PM      Networking Reception**

You are cordially invited to join faculty, speakers and conference attendees for an evening of pre-conference networking. Meet and greet your colleagues as we prepare for a wonderful two days of exciting programs. All attendees are encouraged to attend.

## Thursday, June 28, 2007

### **8:00 AM – 8:45 AM      Networking Breakfast**

### **8:45 AM – 9:00 AM      Opening Remarks**

### **9:00 AM – 10:30 AM    Plenary I**

#### **"Affirmative Action" in Law Firms: The Next Debate**

Professor Richard Sander's recent article in the North Carolina Law Review, "*The Racial Paradox of the Corporate Law Firm*," has sparked an intense debate throughout the legal profession. *The New York Times* reports that Professor Sander's thesis—that affirmative action by large law firms ultimately hinders the careers of black and Hispanic lawyers—"has given rise to fierce and growing criticism in law review articles and in the legal press." Hear the latest views on whether there is "affirmative action" in law firms that helps or hurts minority lawyers.

#### *Speakers:*

**Richard H. Sander**, Professor of Law, University of California at Los Angeles, Los Angeles, CA

**David B. Wilkins**, Kirkland and Ellis Professor of Law and Director, Program on the Legal Profession, Harvard Law School, Cambridge, MA

### **10:30 AM – 10:45 AM    Break**

#### **Why you must attend this conference:**

- Better understand the special challenges and unique opportunities lawyers of color face as the marketplace grows increasingly diverse.
- Learn how to best manage personal and professional challenges unique to minority lawyers.
- Network with leading professionals who share your interests and concerns.
- Learn rainmaking tips from those who do it right.
- Get practical tips and substantive knowledge that will help you reach your full potential.
- Share experiences, strategies and solutions common to lawyers of color.

# Program Schedule

10:45 AM – 12:15 PM

Concurrent Sessions I

## Hot Topics in Securities Laws

*Presented by the ABA Section of Business Law*

The panel will discuss rules and practical tips regarding recent developments in securities laws, such as new executive compensation and corporate governance rules, majority voting, proposed E-Proxy rule amendments, hedge funds, parallel litigation and Securities and Exchange Commission rule interpretations.

*Moderator and Speaker: **Kandace Watson**, Partner, Baker & McKenzie LLP, San Diego, CA*

*Speakers:*

**Myra Coleman Bierria**, Corporate Secretary and Securities Counsel, AGL Resources, Inc., Atlanta, GA

**Bryan K. Brown**, Partner, Porter & Hedges, LLP, Houston, TX

**Randy K. Jones**, Assistant United States Attorney, United States Attorneys Office, Southern District of California, San Diego, CA

**Marlon Quintanilla Paz**, Senior Counsel to the Director of Market Regulation, United States Securities and Exchange Commission, Washington, DC

## Ethical Challenges in Negotiations and Settlements

*Presented by the ABA Tort Trial & Insurance Practice Section*

Legal negotiations implicate a host of ethical, and sometimes even moral, issues. Questions of professional competence, conflicts of interest, honesty and integrity, and respect for clients' decision-making abilities lurk behind and beneath every strategic and tactical move. Raise the standards of your practice by confronting these confounding issues head-on, and learn to deal with them responsibly in this fast-paced, interactive workshop.

*Moderator: **Jeff Kichaven**, Mediator, JAMS, Los Angeles, CA*

*Speakers:*

**J. Canyon Gordon**, Of Counsel, Eimer Stahl Klevorn & Solberg LLP, Chicago, IL

**Kim D. Hogrefe**, Senior Vice President and Worldwide Specialty Claims Manager, Chubb Group of Insurance Companies, Warren, NJ

**Laurel Pyke Malson**, Partner, Crowell & Moring LLP, Washington, DC

**Maurice Suh**, Partner, Gibson Dunn & Crutcher LLP, Los Angeles, CA



## **2007 Employment Law Challenges**

*Presented by the ABA Section of Labor and Employment Law Committee on Equal Opportunity In The Legal Profession*

Panelists will address employment law topics more frequently arising in today's workplace; including, litigation of international EEO claims, plan administration of employee benefit claims, and USERRA claims arising in the wake of returning service member employees. The panel includes experts in these areas of practice representing plaintiff, management, and union counsel perspectives.

*Moderator: Denise M. Clark*, The Law Offices of Denise M. Clark, LLC,  
Washington, DC

*Speakers:*

**David R. Jimenez**, Partner, Jackson | Lewis, Hartford, CT

**Camilla C. McKinney**, The Law Offices of Camilla McKinney, PLLC,  
Washington, DC

**Yolanda D. Montgomery**, Associate, Proskauer Rose LLP, New Orleans, LA

## **Life, Law and Love: Career Issues for the Government & Public Interest Lawyer**

*Presented by the ABA Government and Public Sector Lawyers Division*

Government and public interest law practice combine great rewards as well as challenges. For most, it is truly a labor of love and commitment to causes and ideals. The downsides, however, can include increasing competition for limited jobs and inadequate compensation levels. Join the panel for a candid discussion about the strategies minorities can employ to thrive in the public sector.

*Moderator: Anne Dewey-Balzhiser*, President, Women Lead LLC, Falls Church, VA

*Speakers:*

**Benes Z. Aldana**, Commander, Deputy Staff Judge Advocate, 13th Coast Guard  
District, Seattle, WA

**Renee Landers**, Associate Professor, Suffolk University Law School, Boston, MA

**Griselda Vega**, Consultant, Chicago, IL

# Program Schedule

## **Immigration Post Millennium: Emma Lazarus Lied**

*Presented by the ABA Commission on Racial and Ethnic Diversity in the Profession*

Is Emma Lazarus's message still good? In 2007, does America still want "your tired" or "your poor" or "the wretched refuse of your teeming shore?" What are the new proposals to deal with old issues? Does immigration help or hurt the economic opportunities for existing minority communities? While we are debating whether counties and cities ought to build shelters for day laborers for safely and sanitation, are school districts preparing to mount a successful challenge to *Plyler v. Doe*, the 1982 Supreme Court decision holding that school districts must provide free public education to undocumented children? These and other facets of this incendiary topic will be raised and discussed.

*Moderator and Speaker: Lawrence R. Baca*, Past President, National Native American Bar Association, Alexandria, VA

*Speakers:*

**Nelson A. Castillo**, Immediate Past President, Hispanic National Bar Association, Washington, DC

**Karen K. Narasaki**, President and Executive Director, Asian American Justice Center, Washington, DC

**12:15 PM – 12:30 PM Break**

**12:30 PM – 1:45 PM Luncheon**

*Keynote Speaker: Vilma S. Martinez*, Partner, Munger, Tolles & Olson, LLP, Los Angeles, CA

Ms. Martinez will discuss her role and the role of lawyers of color in shaping the framework of leading companies and corporations in today's business climate.

**1:45 PM – 2:00 PM Break**

2:00 PM – 3:30 PM

Concurrent Sessions II

**Disparate Impact of Government Housing Policy  
on Minority Home Ownership Opportunities**

*Presented by the ABA Forum on Affordable Housing and Community  
Development Law*

This program will focus on a particular crisis within affordable housing development that disproportionately affects minority families. The median net worth of people of color in the United States is approximately 15% of that of whites and this gap is even larger for low-to-moderate income communities. In American society, owning a home, and establishing some equity in that home is one of the most important components of the average family's wealth portfolio. Home ownership rates of people of color are significantly lower than that of whites, while the percentage of people of color with subprime loans, and those who are or have been subject to foreclosure on home loans is significantly higher. Despite major policy considerations in the past several years to increase opportunities for low income and minority home ownership, the desired results have not been achieved. In addition, in many states facing severe economic hardship, the level and frequency of foreclosures has had a disproportionate impact on low income and minority residents. This program will discuss the trade-offs of offering families limited equity in affordable housing projects, so as to increase the number of families who can benefit from the programs.

The panel will also discuss opportunities for careers in affordable housing and community development law in the public and private sectors as a niche practice area. Panelists will bring experience from the nonprofit, government and private sectors, and from geographically diverse communities.

*Moderator and Speaker: Rochelle E. Lento, Of Counsel, Dykema, Detroit, MI*

*Speakers:*

**Roger Clay**, Director, National Economic Development + Law Center, Oakland, CA

**Josephine McNeil**, Director, Citizens For Affordable Housing in Newton Development Organization, Inc., Boston, MA

# Program Schedule

## **2007 Consumer Protection and Privacy Law Update: What Every In-House Lawyer and Outside Counsel Needs to Know**

*Presented by the ABA Section of Antitrust Law*

If you have spent any time advising clients regarding marketing, advertising, promotions, privacy, or information security, you know that the landscape is complex and getting more complicated daily. With so many new regulations, legislation, enforcement actions, and private class action lawsuits, how does a diligent lawyer identify and keep up with the most important developments? One way is to attend this program. An expert panel of lawyers will address these issues on the frontlines of federal and state government and corporations. The panel will distill and highlight key happenings of 2007 in these important areas of law. The discussion will be lively, informative, and interactive. The panelists will address hot-button topics that are essential to counsel clients: marketing, advertising, privacy and information security, and key updates to compliance programs.

*Program Chair and Moderator: Leslie Overton, Partner, Jones Day, Washington, DC*

*Speakers:*

**Sana Chriss**, Attorney and Spam Coordinator, Division of Marketing Practices, Federal Trade Commission, Washington, DC

**April English**, Assistant Attorney General, Consumer Protection Division, The Office of the Massachusetts Attorney General, Boston, MA

**Jill Samuels**, Assistant General Counsel, America Online, Dulles, VA

## **How to Obtain Better Results for Your Clients Through Mediation**

*Presented by the ABA Section of Business Law and the ABA Section of Dispute Resolution*

This will be an interactive session led by two experienced mediators. Assuming the roles of attorneys for adverse parties, participants will show how mediation can be used to overcome communication barriers and maximize results. Topics will include:

- initial conference calls;
- written submissions to mediators;
- the roles of lawyers and clients in mediation;
- opening statements;
- sharing and withholding information; and,
- using the mediator to gain information and break an impasse.

*Program Chair: Frances Gauthier, Of Counsel, Stradley Ronon Stevens & Young LLP, Wilmington, DE*

*Speakers:*

**Harry T. Daniels**, Partner, WilmerHale, Boston, MA

**Michael K. Lewis**, Mediator, JAMS, Washington, DC

**Linda R. Singer**, Mediator, JAMS, Washington, DC

**Kenneth P. Thompson**, Partner, Thompson, Wigdor & Gilly LLP, New York, NY





## **Hanging Out Your Shingle... Practical Advice on How to Set Up a Solo Practice**

*Presented by the ABA General Practice, Solo and Small Firm Division*

So you're thinking about starting your own law practice? Wondering if it's the right time to go out on your own? Come learn about becoming a solo practitioner and how to do it successfully. If you feel you need additional information on when to make the leap and what to consider when doing so, then this panel is for you. The distinguished panelists will answer questions about setting up your office, marketing and generating clients, administration and billing, obtaining malpractice insurance, managing legal matters, and other topics on your mind about starting your own law business. You will get tips from pros on how to run an efficient and viable law practice.

**Moderator: Edd Vasquez**, Attorney, The Law Offices of Edd Vasquez, New York, NY

*Speakers:*

**Youshea Berry**, Attorney, The Law Office of Youshea Berry, Washington, DC

**Vivian Hsu**, Attorney, Hsu & Associates LLC, Needham, MA

## **E-Discovery Update**

*Presented by the ABA Section of Litigation*

The program will focus on the amendments to the Federal Rules of Civil Procedure regarding e-discovery. There are new rules regarding the production, storage, sanctions and much more. Are you prepared?

**Moderator: Robert R. Simpson**, Partner, Shipman & Goodwin LLP, Hartford, CT

*Speakers:*

**Paulette Brown**, Partner, Edwards Angell Palmer & Dodge LLP, Short Hills, NJ

**Taa Grays**, Associate General Counsel, Metropolitan Life, New York, NY

**Anne Kershaw**, Founder, Senior Attorney & Consultant, Kershaw Attorneys and Consultants, Tarrytown, NY

**DeMaurice F. Smith**, Partner, Patton Boggs LLP, Washington, DC

**3:30 PM – 3:45 PM      Break**

# Program Schedule

## 3:45 PM – 5:15 PM Interactive Workshops

Attendees, grouped by age and experience, will participate in interactive workshops designed to provide a free-form discussion of many of the issues important to minority lawyers.

### A. Lawyers with Fewer than 5 Years Experience

*Facilitators:*

**Maria Gonzales Calvet**, Associate, Morgan Lewis, Philadelphia, PA

**Brian D. Eng**, Associate, Goodwin Procter LLP, Boston, MA

### B. Lawyers with 5 – 9 Years Experience

*Facilitator:*

**Karen K. Russell**, Of Counsel, Davis Wright Tremaine LLP, Seattle, WA

### C. Lawyers with 10+ Years Experience

*Facilitators:*

**Jayanne Hino**, Partner, Davis Wright Tremaine LLP, Seattle, WA

**Richard A. Soden**, Counsel, Goodwin Procter LLP, Boston, MA

## 5:15 PM – 6:45 PM Networking Reception

## 7:00 PM – 9:00 PM Networking Dinner

After a day of cutting edge and thought-provoking programming, enjoy a relaxing meal with great company! Come and share your thoughts, discuss what you've learned, ask questions, and get better acquainted with other conference attendees who share similar practice interests, while also learning about some of the ABA entities that are presenting programs during the conference. Find out how to get involved. Learn about opportunities to be a speaker or author. Eat, drink and enjoy the camaraderie of other lawyers from around the country who share your area of practice. To purchase tickets for this event, please see the registration form.



## **Friday, June 29, 2007**

**8:00 AM – 8:45 AM      Networking Breakfast**

**8:45 AM – 9:00 AM      Opening Remarks**

**9:00 AM – 10:30 AM    Plenary II**

### **Race and the Roberts Court**

The U.S. Supreme Court will soon be deciding whether a local school district may use race as a factor in assigning students to schools in a public school district. The fundamental issue is whether the Equal Protection Clause bars such consideration of race, even when part of a program designed to promote diversity in public schools. A recent *New York Times* article observed that there “seemed little prospect that either the Louisville, KY, or Seattle plans would survive the hostile scrutiny of the court’s new majority.”

With these cases as a starting point, we will discuss the issues of race that are likely to face the Roberts court in the coming years. How might the coming decisions of the Roberts shape the future course of affirmative action, integration and equality in America?

*Speaker:*

**Charles J. Ogletree, Jr.**, Jesse Climenko Professor of Law, Vice Dean for Clinical Programs, and Executive Director of the Charles Hamilton Houston Institute for Race and Justice, Harvard Law School, Cambridge, MA

(Following this session, as well as prior to and after lunch, Professor Ogletree will be signing copies of his book, *All Deliberate Speed: Reflections on the First Half-Century of Brown v. Board of Education*. Books will be available onsite for purchase.)

**10:30 AM – 10:45 AM    Break**

# Program Schedule

10:45 AM – 12:15 PM Concurrent Sessions III

## **Consumer Authentication: How Do You Know It Is Really Me?**

*Presented by the ABA Section of Business Law*

This program will present an overview of new regulatory guidance for authenticating online customers. Panelists will discuss the purpose and application of the new guidelines and review practical steps in compliance. Learn how authentication programs work and what law enforcement is doing.

*Moderator:* **Jacqueline Parker**, First Vice President & Senior Counsel, Washington Mutual Bank, Seattle, WA

*Speakers:*

**Patricia E. M. Covington**, Partner, Hudson Cook, LLP, Hanover, MD

**Roberta Torian**, Senior Counsel, The PNC Financial Services Group, Inc., Philadelphia, PA

**Martha Andes Ziskind**, Of Counsel, Wyatt Tarrant & Combs LLP, Louisville, KY

## **Closing Arguments Boston Style – Can You Present a Close Like The Lawyers on Boston Legal?**

*Presented by the ABA Tort Trial & Insurance Practice Section*

When in Boston, do like the Boston lawyers. Our panel will give their unique perspectives on the closing arguments that your jurors are watching on television shows, like *Boston Legal*. Watch arguments from *Boston Legal* and hear what the expert panel has to say about the effective techniques used on the show and how you can incorporate these into the real courtroom. Our panel is composed of seasoned litigators, a jury consultant who has studied the effects that legal drama television shows have on jurors, and as an added bonus, the technical legal advisor for *Boston Legal* will give insights into the show's production and creative process.

*Moderator:* **H. Wesley Sunu**, Director, Tribler, Orpett & Meyer, P.C., Chicago, IL

*Speakers:*

**Cynthia R. Cohen**, Principal Investigator, Verdict Success, Manhattan Beach, CA

**Wyndall A. Ivey**, Shareholder, Maynard, Cooper & Gale, P.C., Birmingham, AL

**Charles B. Rosenberg**, Technical Legal Advisor, *Boston Legal*, Rosenberg Mendlin & Rosen LLP, Santa Monica, CA

**Carlos Singh**, Assistant United States Attorney, United States Attorneys Office, San Jose, CA



**Untapped Resources – Corporate Initiatives to Improve Diversity  
Among Panel Counsel For Insurance Companies**

*Presented by the ABA Commission on Racial and Ethnic Diversity in the Profession  
and the ABA Tort Trial & Insurance Practice Section*

Interested in building your practice by obtaining business from insurance companies? Hear a panel of leading insurance companies and diverse outside counsel discuss:

- efforts to engage, develop, and retain diverse outside counsel
- targeting alliance opportunities with diverse counsel to build relationships and opportunities
- working to grow and expand the business of insurance while also furthering commitments to diversity
- gaining insight from diverse outside counsel into new market segments and ways to improve brand awareness

*Moderator: Michael D. Daugherty, Vice President and Southern Zone Specialty  
Claims Manager, Chubb Group of Insurance Companies, Dallas, TX*

*Speakers:*

**Arthur Chong**, Executive Vice President and Chief Legal Officer, Safeco Corporation,  
Seattle, WA

**Ann M. Courtney**, Assistant Vice President and Litigation Counsel, Unum Provident  
Corporation, Portland, ME

**Martin P. Greene**, Partner, Greene & Letts, Chicago, IL

**Kim D. Hogrefe**, Senior Vice President and Worldwide Specialty Claims Manager,  
Chubb Group of Insurance Companies, Warren, NJ

# Program Schedule

## **Learning to Lead: A Workshop for Leaders and Future Leaders**

*Presented by the ABA Commission on Racial and Ethnic Diversity in the Profession*

A hands-on workshop in which you will learn leadership skills to reach your career goals by capitalizing on your assets, and without compromising your values and heritage. These leadership skills can be learned and applied in a variety of situations that we encounter in our practices — when starting a new job, developing clients (within or outside your organization), participating in meetings, or working as a team member.

*Program Cochairs:* **Kevin M. Fong**, Partner, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA and **Jayanne Hino**, Partner, Davis Wright Tremaine LLP, Seattle, WA

*Facilitator:*

**Sharon E. Jones**, President, Jones Diversity Group LLC, Chicago, IL

**12:15 PM – 12:30 PM Break**

**12:30 PM – 1:45 PM Luncheon**

### **On Becoming a Leader: Minority Lawyers and their Vision for the Future**

What is in the future for minority lawyers? More importantly, what would we hope that future to be? Much will depend on the leadership of minority lawyers themselves, both in the legal profession and in their communities. In our closing luncheon, we will hear the personal stories of leading lawyers, who will inspire us with the leadership they have demonstrated in their careers and their visions for the future.

**1:45 PM – 2:00 PM Closing Remarks**

