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From the Pro Bono Chairs: Recognition of 2016 Pro Bono Accomplishments and a Look Back



Kevin Kennedy



David Shevlin

Thanks to you, 2016 was another terrific year for Simpson Thacher's Pro Bono practice. In addition to providing over 48,000 hours of legal services to poor and vulnerable communities, nonprofits and fledgling small businesses, the Firm won "Pro Bono Law Firm of the Year" from *Law360*, and received the President's Pro Bono Award

from the State Bar of California, both highly prestigious honors. As recent events have shown us, now more than ever there is a critical need for attorneys to provide effective representation to those who cannot defend themselves and whose voices are often unheard. We are proud of all of you who have been willing to be those voices, and hope everyone can find a way to continue to contribute to these efforts.

Throughout the year our pro bono volunteers were engaged in vital issues, in our own backyards and across the globe, through individual advocacy, policy, and litigation. We helped low-income individuals navigate complex benefits laws; challenged unconstitutional practices by government agencies; protected nonprofits that support education and the arts; and helped preserve human rights and the environment, to name just a few. This work has never been more important.

Earlier this month the Firm recognized many hundreds of its volunteers as Pro Bono Champions and Pro Bono Leaders. In honor of their contribution, these volunteers got the chance to vote where to direct a portion of the Firm's Pro Bono Charitable Contributions. The two organizations which received the most votes were Kids In Need of Defense (KIND) and the American Civil Liberties Union (ACLU). Both organizations will be receiving a significant charitable donation from the Firm in honor of our volunteers.

Please take the time if you can to join your colleagues who have already chosen to make a difference. We urge you to make it a personal goal to do at least 20 hours of pro bono work in 2017!

Simpson Thacher Responds to Immigration-Related Executive Orders

Travel Ban Litigation

Simpson Thacher attorneys have been involved in numerous efforts nationwide in response to the President's Executive Orders relating to the entry of certain categories of aliens to the United States. The first Order, issued on January 27, 2017, entitled "Protecting the Nation from Foreign Terrorist Entry Into the United States," was challenged by numerous litigations around the country, found to be unconstitutional by several federal courts, including the 9th Circuit, and provisionally replaced on March 6th by a second Executive Order slated to go into effect on March 16th. Simpson lawyers are involved in three of these litigations, *Washington v. Trump*, filed in the Seattle District Court, *Hawaii v. Trump*, filed in the District of Hawaii Court, and *Pars v. Trump*, filed in the District of Columbia Court. Our attorneys represented immigration legal services nonprofits as *amici* before the 9th Circuit supporting the plaintiffs' efforts in *Washington v. Trump* to keep in place a nationwide temporary restraining order that prevented enforcement of the January 27th Executive Order. The Firm also represented a similar group of *amici* to support the plaintiffs' efforts in *Hawaii v. Trump*. Our representation of *amici* in *Pars v. Trump* is forthcoming. Our work in these litigations has been led by **Buzz Frahn** and **Alan Turner**. In addition, Buzz and a team of attorneys in Palo Alto have been providing a daily litigation summary to hundreds of nonprofits and others across the country regarding the more than twenty-five litigations challenging the Executive Order on a variety of legal grounds. Alan and a team in New York have been tracking immigration policy changes, which affect the Firm's many immigrant clients.

Airport Rapid Response

Simpson lawyers also provided on the ground assistance in the wake of the January 27th Executive Order. Over 30 of our attorneys spent multiple days at JFK, SFO and Dulles airports, or in support of those efforts, providing assistance to legal visa holders and others being detained at these airports as a result of the Executive Order. As a result of our work on the ground, the Firm engaged several U.S. citizen clients to assist them with bringing their families to California from Iran and Syria. These families, each with young children, had valid visas but were denied entry. In one family's case the denial meant they were stranded in Abu Dhabi for days on a layover on their way to the U.S. Two Simpson legal assistants in the Washington Office paid in-person visits to the California senators on the Hill to get the

matter escalated. With the Firm's help, all of these families were eventually able to be admitted to the U.S., and reunited with their relatives.



Buzz Frahn, Linda Nyberg, and Jonathan Mincer with Iranian clients who paid a visit to the Palo Alto office after being allowed into the United States.

Hotline Assistance

Finally, the Firm has been assisting with three separate efforts to staff legal hotlines which have been set up to provide legal and know your rights information for the immigrant community. Simpson attorneys provided information on changes to immigration policy and did general intake interviews of callers. Our volunteers throughout the country have staffed the hotlines for the Legal Aid Society of New York, the New York Civil Liberties Union, and the Texas Immigration Rights Coalition/ACLU of Texas.

The Simpson volunteers who participated in the above efforts include: **Uzezi Abugo, Elina Alperovich, Solomon Bashi, Adrienne Baxley, Tyler Bernstein, Monisha Bhayana, Luiz Arthur (Tuca) Bihari, Lindsey Bohl, Lee Brand, Michael Brasky, David Caldwell, Alaina Calhoun, Eamonn Campbell, Patrick Campbell, Sara Campbell, Caitlyn Chacon, Kuntal Cholera, Sara Clingan, Alexis Coll-Verly, Adam Crider, Haiyun Damon-Feng, Ariana Evarts, Jamie Fell, Violeta Foreman, Samantha Fox, Elizabeth French, Chance Goldberg, Sarah Green, Andy Hasty, Christopher Healey, Katherine Helm, Jason Herrera, Carolyn Hill, Yu Hirohashi, Karima Janneh, Melanie Jolson, Veronica Jordan-Davis, Michael Joshi, Kevin Kennedy, Brandon Kenney, Ki Hoon Kim, Paul Koppel, Louise Kruger, Alexander Lebow, Christopher Lee, Elisa Lee, JaeWon Lee, Asher Lowenstein, May Mansour, Brandon Martin, Preston Miller, Eric Mills, Jonathan**

Mincer, Hillary Mintz, Osman Mohammed, Randy Moonan, Alex Moser, Adam Moss, C.J. Murray, Linda Nyberg, Morgan Otway, Jenny Palmer, Anar Patel, Sarah Phillips, William Pilon, Meredith Pressfield, Jamie Raghu, Sara Razi, Andrew Simon-Rooke, Mark Skerry, Benjamin Smith, Deborah Stein, Cyrena Terricone, Annie Tsao, Marian Wasserman, Elizabeth White, Molly Wilcox, Cecelia Xie, Jonathan Youngwood, and Wei Zhao.

Simpson Thacher Awards Year-Long Public Service Fellowships

The Firm is pleased to announce the recipients of the 2017 Simpson Thacher & Bartlett LLP Public Service Fellowships. New York Corporate Associate **Lauren Finkelstein** '15, will spend the year at Sanctuary for Families working with immigrant victims of gender based violence, focusing on its appellate practice. New York Litigation Associate **Harsha Panduranga** '15 will spend the year working with the Brennan Center for Justice in its Liberty and National Security Program, which seeks to advocate for national security policies that protect the public while respecting civil liberties. New York Corporate Associate, **Jennifer Poon** '15, will spend the year with the ACLU of Southern California, working with the Immigrant's Rights Project on a national class action litigation and advocacy.



Lauren Finkelstein



Harsha Panduranga



Jennifer Poon

Simpson Attorneys Assist Harvard Law School's National Criminal Justice Debt Initiative

The Firm assisted Harvard Law School's Criminal Justice Policy Program with its National Criminal Debt Initiative. The initiative is part of Harvard's work to advance reform of policies for imposing fees and fines in the criminal justice system. With Simpson's help, Harvard created a searchable website to assist advocates dedicated to reforming how criminal justice debt is imposed and enforced on a national scale. The Director of the Initiative, Mitali Nagrecha, is a former Simpson litigation associate who was awarded a year-long Simpson

Thacher Public Service Fellowship in 2010 to work on this issue. The Simpson team was led by **Mary Beth Forshaw** and **Alan Klein** and included **John Bennett, Thomas Boyd, Michael Dietch, Michelle Goldring, Jim Hurder, Ryan Kasdin, Jonathan Kovacs, Pieter Lavans, JaeWon Lee, Chrystel Marincich, Victoria Morris, CJ Murray, Linda Nyberg, Chris Scavone, Annie Tsao, Christine Turner, Randi Lynn Veenstra, and Muran Zhu.**

Simpson Thacher and Morgan Stanley Sponsor Equal Justice Fellow

In December 2016, Simpson Thacher and Morgan Stanley interviewed five candidates for an Equal Justice Works Fellowship to begin in the Fall of 2017. The Fellow will be Christopher Helwig, from Columbia Law School, who will work at Lenox Hill Neighborhood House. His project is to improve the lives of low-income elderly, disabled, and chronically ill tenants living in East Harlem public housing by fighting for their right to live in safe and habitable apartments. Chris will present his work at a joint event with Morgan Stanley in the spring of 2018.

New York Office Clinics

The New York Office held a number of clinics this winter. Two clinics involved helping low-income New Yorkers naturalize, the process by which eligible immigrants become U.S. citizens. More than nine million people in the U.S. are eligible to naturalize, but have not yet done so. Naturalizing brings important benefits to clients, including the right to vote, and protection from removal—a particular concern for low-income communities of color that are highly policed.

On December 20th, Simpson volunteers interviewed about 30 individuals to determine their eligibility to apply to naturalize. Simpson volunteers included **Bill Dougherty, Caroline Gottschalk, Tyler Anger, Michael Badain Jorge Battle, Lauren Finkelstein, Karen Horvitz, Jonathan Kovacs, Jeff Levine, Matt Levy, Asher Lowenstein, Patrick McCamy, CJ Murray, Niyati Roy, Kavitha Sivashanker, Megan Sherman, Rachel Stein, Rodrigo Surcan dos Santos and Evan Zuckerman.**

On Saturday, January 28th, Simpson attorneys staffed an all day, city-wide naturalization clinic, in partnership with New York Lawyers for the Public Interest and Catholic Migration Services, hosted by the Brooklyn Borough President. There, our attorneys were part of a volunteer group which assisted over 100 clients to prepare applications.

Simpson volunteers included **Michael Badain, Ed Bersuder, Lily Chen, Eric Fischer, Samantha Fox, Steve Halpern, Yui Hirohashi, Eva Kang, Meaghan Krupa, Geraldine Rothschild, Rodrigo Surcan dos Santos, and Deepa Thimmapaya.**

On February 22nd, Simpson attorneys teamed up with volunteers from Blackstone's Legal and Compliance group to advise nine low-income small business owners on personalizing template catering contracts for use with their customers. Each client was a participant in New York City's Food Business Pathways Program, which helps public housing residents formalize their food-related businesses. Simpson volunteers included **Mark Brod, Caroline Gottschalk, Rise Norman, Mark Chorazak, Mike Arsiotis, Dennis De Almeida, Matt Farrell, Della Fok, Brian Jones, Matt Leighton and Evan Zuckerman.**

Simpson Thacher Represents Amici Before the Supreme Court in Transgender Bathroom Case

Simpson Thacher filed an amicus brief in the United States Supreme Court on behalf of law professor Terry S. Kogan, Professor of Law at the S.J. Quinney College of Law, University of Utah, in the case *Gloucester County School Board v G.G.* The case was filed on behalf of a transgender high school student, and challenges a school board policy that prohibits him from using the boys' bathroom, requiring instead that transgender students use "alternative private" restrooms. Professor Kogan has studied the history of laws mandating sex-segregation in public restrooms in the United States. The amicus brief draws on that history to challenge two assumptions underlying arguments in support of the school board's policy: (1) that public restrooms are separated by sex because of anatomical differences between men and women and (2) that public restrooms have been separated by sex throughout history. Professor Kogan's research shows that the first laws mandating bathroom sex-separation were not adopted until the late nineteenth century, and that they were not motivated by anatomical differences between men and women but rather grounded in then-contemporary understandings of gender roles, and often enacted as amendments to existing protective labor laws aimed only at women and children. The brief argues that this history helps demonstrate that excluding transgender students from restrooms congruent with their gender identities is discriminatory.

In February, the Departments of Education and Justice revoked guidance upon which the Fourth Circuit had relied in ruling in G.G.'s favor. As a result,

the Supreme Court vacated the Fourth Circuit's judgment and remanded the case after the amicus brief was filed. The team included **Andrew Lacy, Jayma Meyer, Isaac Rethy, and Julia Heald.**

Simpson Thacher CIO Leads Pro Bono Technology Effort in New York State

In 2014, the Pro Bono Law Firm IT Initiative was created to enable senior information technology leaders from private law firms and elsewhere to develop a pro bono project that would utilize their technology expertise in assisting nonprofit civil legal aid providers. As a result of this effort, teams of pro bono IT professionals participated in a pilot project in 2015 with five civil legal aid providers. The IT volunteers conducted individualized evaluations and developed tailored recommendations for improving the technology infrastructures of these five nonprofits, including recommendations on software and hardware updates, security and technology policies. Following this success, the Initiative has expanded the project to legal services organizations throughout the state by offering a series of webinars to help participating civil legal aid providers understand the current state of its technology environment through a technology assessment, training sessions on individual technology topics, and guidance offered by pro bono IT professionals representing leading law firms in New York. The chair of the Initiative is Simpson Thacher's Chief Information Officer, **Michael Donnelly**, supported by the Firm's Pro Bono Counsel, **Harlene Katzman.**

Recent Pro Bono Achievements

Simpson Thacher Wins Two Unemployment Insurance Appeals

Simpson Thacher won two hearings before the Unemployment Insurance Appeals Board. Both clients were referred by Volunteers of Legal Service's Unemployment Insurance Advocacy Project.

The first case overturned the Department of Labor's initial determination disqualifying him from receiving benefits; charging him with an overpayment of benefits; and imposing a civil penalty for alleged willful misrepresentation. The team included **May Mansour and Asher Lowenstein.**

The second case was on behalf of a client whose former employer challenged her eligibility for unemployment benefits with allegations that she committed misconduct in connection with her duties

as a daycare teacher. Attorneys **Jillian de Chavez-Lau** and **May Mansour** successfully argued that none of the client's actions amounted to misconduct.

Both matters were supervised by **Bryce Friedman**.

Simpson Thacher Secures U Visa for Mexican Client After Successful Appeal

Attorneys in Simpson Thacher's Palo Alto office successfully appealed the U.S. Citizenship and Immigration Services' initial denial of U nonimmigrant status to a Mexico-born client. The client had suffered domestic violence and assisted local prosecutors in successfully prosecuting her abuser. But because of a confusingly written certification by the district attorney's office about the client's helpfulness in the prosecution, the USCIS denied the U visa petition in February 2015. Simpson Thacher filed an appeal and, in September 2015, the USCIS's Administrative Appeals Office reversed the denial. After submitting additional evidence to support a waiver of inadmissibility, the USCIS found the client eligible for U nonimmigrant status in March 2016. But due to a statutory cap, the client was placed on a waiting list. In March 2017, the client finally secured U nonimmigrant status, which can lead to permanent residency within three years. The team included associates **Jonathan Mincer** and **Mike Joshi**, with supervision from partner **Alexis Coll-Verly**.

Simpson Thacher Successfully Helps Iranian National Obtain Emergency Visa

A U.S. permanent resident originally from Iran suffered a stroke and brain bleed, leaving him in critical condition in the intensive care unit at Stanford Hospital. Simpson Thacher attorneys, working pro bono, successfully helped the patient's brother—the patient's closest living relative—obtain an emergency visa to come from Iran to the U.S. to make medical decisions on his brother's behalf and provide emotional and physical support. Associates **Jonathan Mincer**, **Linda Nyberg** and **Andrew Simon-Rooke** assisted in the effort.

Awards and Events

Simpson Thacher Honored by NYSBA for Pro Bono

Simpson Thacher & Bartlett was named as one of the Empire State Counsel Law Firm Honorees by the New York State Bar Association. The honor is based on the number of pro bono hours completed by 219

Simpson Thacher attorneys who performed 50+ pro bono hours in 2016. The award was presented at the Justice for All Luncheon held at NYSBA's Annual Meeting on January 26, 2017 at the Hilton Midtown, NYC.



Bill Russell, Harlene Katzman and NYSBA President, Claire P. Gutekunst

Simpson Thacher Featured at NYLPI Law & Society Award Luncheon

Simpson Thacher was featured at the twenty-fourth annual Law & Society Award Luncheon of New York Lawyers for the Public Interest (NYLPI) for its role in advocating to secure immigrant detainee rights to mental health discharge planning. In July 2016, Simpson and NYLPI filed a federal lawsuit against Orange County, NY and other county departments and officials for their failure to provide discharge planning, a plan to ensure that mental health care does not lapse upon release, which is widely regarded as an essential component of mental health care. Without discharge planning, people with mental illness face an array of grave consequences when released from immigration detention. The Simpson Thacher team includes litigation partner **Tom Rice**, who also serves on NYLPI's Board of Directors, and litigation associates **Daniel Stujenske**, **Lauren Repole** and **Esinam Agbemenu**, all of whom were featured in a video about the litigation.

Simpson Thacher Receives Pro Bono Leadership Award from Legal Services-NYC

Simpson Thacher will receive the Pro Bono Leadership Award from Legal Services-NYC for being one of its top pro bono partners in 2016 and for the Firm's long-standing support of its work and its clients. The award will be presented at its annual Jazz for Justice event at Cipriani 42nd Street on March 29, 2017.

Simpson Thacher To Receive 2017 Pro Bono Counsel Award from the National Law Center on Homelessness & Poverty

The National Law Center on Homelessness & Poverty will recognize Simpson Thacher & Bartlett with the 2017 Pro Bono Counsel Award to be presented during its annual McKinney-Vento Awards event in October in Washington, DC. The award honors leadership in advancing solutions to end homelessness and poverty for children, women, and men and is being presented to the Firm in appreciation for its many years of pro bono work, including, most recently, helping the Law Center successfully work with the Department of Housing and Urban Development to broaden and clarify certain aspects of the Violence Against Women Act regulations that provide housing protections for victims of domestic violence. Simpson Thacher partner **Rajib Chanda** sits on the Law Center's Board of Directors, and partner **Peter Thomas** is chair of the Lawyers Executive Advisory Partners program through which many of the nation's leading law firms provide pro bono services to the Law Center.

Please send
news items, comments
or suggestions regarding the
pro bono program to
Harlene Katzman at
hkatzman@stblaw.com.



UNITED STATES

New York
425 Lexington Avenue
New York, NY 10017
+1-212-455-2000

Houston
600 Travis Street, Suite 5400
Houston, TX 77002
+1-713-821-5650

Los Angeles
1999 Avenue of the Stars
Los Angeles, CA 90067
+1-310-407-7500

Palo Alto
2475 Hanover Street
Palo Alto, CA 94304
+1-650-251-5000

Washington, D.C.
900 G Street, NW
Washington, D.C. 20001
+1-202-636-5500

EUROPE

London
CityPoint
One Ropemaker Street
London EC2Y 9HU
England
+44-(0)20-7275-6500

ASIA

Beijing
3901 China World Tower
1 Jian Guo Men Wai Avenue
Beijing 100004
China
+86-10-5965-2999

Hong Kong
ICBC Tower
3 Garden Road, Central
Hong Kong
+852-2514-7600

Seoul
25th Floor, West Tower
Mirae Asset Center 1
26 Eulji-ro 5-gil, Jung-gu
Seoul 100-210
Korea
+82-2-6030-3800

Tokyo
Ark Hills Sengokuyama Mori Tower
9-10, Roppongi 1-Chome
Minato-Ku, Tokyo 106-0032
Japan
+81-3-5562-6200

SOUTH AMERICA

São Paulo
Av. Presidente Juscelino
Kubitschek, 1455
São Paulo, SP 04543-011
Brazil
+55-11-3546-1000