

SPOTLIGHT—CORPORATE PARTNER: SUN CHEMICAL

By: Gilda R. Turitz | Sideman & Bancroft LLP



Melvin Cox

In the 38 years since Melvin (Mel) Cox started practicing law, he has seen – not surprisingly – many changes in the practice of law and particularly in the hiring of women and minorities in law firms, in-house and as outside counsel. Mel has been in-house with Sun Chemical Corporation for the last 22 years, and recently stepped down after 13 years as General Counsel in anticipation of his retirement in September 2010. He graciously shared his story and reflections about diversity in the profession and NAMWOLF.

Mel grew up in Wyoming and received his undergraduate degree in 1969 from the University of Wyoming, "which was not particularly diverse." He then attended Harvard Law School at the height of the Vietnam War, where for the first time he was exposed to a lot of new things that he had not experienced in Wyoming, including diversity in education. His law school entering class in 1969 had about 20% women and 5 to 8% minority students, then touted as a milestone, although the diversity numbers for the law school as a whole were quite a bit smaller. (In contrast, Harvard Law School's 2009 entering class had 48% women and 34% students of color.)

After Mel graduated from Harvard in 1972, he spent five years in private practice in Pittsburgh, Pennsylvania, and then went in-house with one of his clients. During the merger mania of the 1980's that company went away, and Mel joined Sun Chemical's in-house staff in 1989. He became



General Counsel in 1997. Sun Chemical is an international corporation which is the largest producer of printing inks for packaging in the world and also produces organic pigments – colors that go into ink, paints, cosmetics and plastics. Its legal department is relatively small, with six attorneys in the U.S. headquarters in New Jersey, one in Brazil and two in The Netherlands. Although they handle 60-70% of the legal work in-house, they hire outside counsel in the patent area and for major transactions such as M&A, as well as for litigation and areas where they do not have in-depth expertise in-house. In addition, as Sun Chemical has 300 locations worldwide including over 100 in the U.S., they have often needed to retain good counsel knowledgeable of local law in sites where the company has had a difficult but local legal problem. These issues tend to involve real estate, land use, environmental law, regulatory (such as food packaging), and employment. As Sun Chemical does not make consumer products and does not sue its customers, it engages in very little litigation.

Yolanda Coly introduced Mel to NAMWOLF as a vehicle for Sun Chemical to hire diverse firms. Mel has been attuned to diversity for his in-house staff; one thing he has tried to do is to "pick very, very good people and increase diversity in the department. By example, that attitude spills over to the rest of the company." Both the head of employment (who is a woman) and chief

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The National Association of
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 Minority & Women Owned Law Firms
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 2010 ANNUAL MEETING
 WWW.NAMWOLF.ORG**

OCTOBER 4 - 6, 2010
 WASHINGTON, DC

SPOTLIGHT—CORPORATE PARTNER: SUN CHEMICAL

(Continued from page 1)

patent counsel are African-American, and Mel is gay. In retaining outside counsel, Mel has chosen attorneys for their skills and not necessarily “big name firms,” because as a client, he often gets better attention from smaller firms. The geographic diversity in NAMWOLF firms has been “terrific” and he has relied on the NAMWOLF directory and website to locate potential outside counsel.

Mel has enjoyed some excellent service from NAMWOLF firms because of their accessibility, responsiveness, and personal connection with their attorneys as his outside counsel. In his experience, very large firms tend to be difficult to access because so many people get assigned a piece of the work, which is to be expected in that environment. He always views outside counsel as another part of their department; he likes to share the work and have someone who can learn along with them. He finds that NAMWOLF firms hired as outside counsel do “partnering rather than preaching” in dividing up and sharing the work, instead of dictating to in-house counsel and their business clients. He has looked for long-term partnerships with his outside counsel to trade ideas back and forth, and appreciates not being left on his own to implement the ideas once they are generated.

Mel advises that counsel must fit the work to the client goal. One of his most disappointing experiences is to assign work and receive a product that raises more questions but does not resolve the issues on the table. It is vital that the client’s goals be understood. According to Mel, “[b]usiness people don’t want legal knowledge, they want to know what they can and cannot do. And they wanted it yesterday. A smaller law firm can relate to that.” The NAMWOLF firms Mel has used have staffed to fit the case; sometimes large firms have given him the impression that they want to cover every base so that they are not accused of missing something, and this does not necessarily “fit the work to the goal.”

During his career, the increase of women and minorities in law firms and their visibility has changed the attitude of people in corporations: that women and minorities have the same skills as everyone else. Business people and in-house counsel used to choose people with whom they interacted socially, but with law firms becoming more diversified, they have been compelled to recognize that there are capable diverse lawyers to hire. “The attitude has changed from an old

white men’s club to ‘find the best people’, and you can’t do that if you are excluding any classes of people.” To approach in-house counsel for consideration, NAMWOLF firms should recognize that all in-house counsel are always looking for good attorneys to retain and it is important to be visible. Mel sees writing articles and speaking at seminars and on panels as valuable ways for outside counsel to be noticed and remembered when a hiring opportunity arises. He especially found valuable -- a “triple win” -- law firms offering CLE to in-house counsel as giving substantive education, allowing the presenters to display their personality and expertise, and providing the opportunity to meet other attorneys in the firm. Mel definitely has been pleased with the growth in diversity in the profession demonstrated today, compared to his first real exposure to diversity when he entered Harvard Law School back in 1969.



Gilda R. Turitz is a business trial lawyer and the Litigation Practice Group Leader for Sideman & Bancroft LLP, a certified woman-owned law firm in San Francisco, California. She received the Glass Hammer Award of the American Bar Association, Law Practice Management Section for efforts to shatter the glass ceiling.



2011-2012 NAMWOLF Newsletter Editor

The Executive Committee is accepting applications for the 2011-2012 NAMWOLF Newsletter Editor.

All interested firms need to submit a report to the Executive Committee with the following:

- Explain why your firm is interested in being the Editor of the Newsletter.
- Explain how your firm will serve as editor.
- List any ideas they would like to implement with the newsletter.

For additional information
or to submit reports, contact Jane Kalata
at jane_kalata@namwolf.org

Message from the Chairman



Emery K. Harlan
Chairman

The 2010 Annual Meeting and Law Firm Expo is just around the corner, and we are hard at work at finalizing all of the details. I would like thank our current 2010 Annual Meeting and Law Firm Expo sponsors: Accenture, Wal-Mart, Marcus Corporation, ConAgra Foods, Microsoft Corporation, JPMorgan Chase, du Pont, Altria Group, Tyco International, Visa Inc., Prudential Financial, Verizon Communications, GlaxoSmithKline, Gaylord Entertainment, Nationwide, CareFirst BCBS, Fannie Mae, We Energies, Bank of America, KeyCorp, DCR Litigation Services and AT&T. If you are interested in sponsoring, please call NAMWOLF at 414.277.1139.

Registration for the 2010 Annual Meeting and Law Firm Expo has launched. Make sure you watch your email inbox or contact NAMWOLF staff with any questions regarding the 2010 Annual Meeting and Law Firm Expo.

I look forward to seeing everyone October 3 – 6 at the Gaylord National for another great Annual Meeting!

WELCOME NEW NAMWOLF MEMBERS



Yolanda Coly
Managing Director

New Law Firm Members:

Perez & Morris L.L.C.
Columbus, OH

Boggs, Avellino, Lach & Boggs, LLC
Clayton, MO

Schwartz Hannum PC
Andover, MA

Viksnins Harris & Padys PLLP
Bloomington, MN

Henslee Schwartz LLP
Dallas, TX

Patrick Law Group
Atlanta, GA

Rivero Mestre & Castro
Coral Gables, FL

Yoon & Kim LLP
New York, NY

Giller & Calhon, LLC
Centennial, CO

New Public Entity Partner:

FDIC

New Corporate Partners:

Prudential, US Bank, Petco and Shell Oil

New Financial Contributors:

Gold – BP America and NBC Universal

Bronze – Pepsi-Cola, Semptra Energy and WellPoint

Sponsorship Renewals:

Visa, Inc.

Housing Authority Insurance Group

Johnson Controls

MGIC

Microsoft

Rockwell

ConAgra

Brown-Forman

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The Supreme Court Holds Governmental Employer's Search of Employee's Text Messages Was Reasonable

By: Bryce C. Besser

On June 17, 2010 the U.S. Supreme Court issued its highly anticipated decision in *City of Ontario v. Quon*. In *Quon*, the High Court was asked to decide whether a reasonable expectation of privacy extended to text messages sent from a work-issued paging device by an employee, and whether the employer's review of the text messages was reasonable. Jeff Quon was an Ontario California SWAT officer who was issued a pager by the Ontario Police Department. Under the department's policy, an employee was allotted 25,000 characters as part of the plan and was required to pay for characters exceeding that amount. After Quon and other SWAT members began receiving numerous overage charges from the wireless carrier, the department decided to review the text messages to determine whether employees were using the pager more for personal use and whether it should increase the character allotment for each employee. The department therefore collected the text messages from Arch Wireless, which provided the text message service and stored text messages for the department. Upon reviewing Quon's messages, the department found that the majority of the texts were non-work-related and in many instances, sexually explicit.



Quon sued the Department, the City of Ontario, and individual officers for violation of the Stored Communications Act and for violation of his Fourth Amendment right to privacy. According to the department, there was a

written policy stating that employees did not have any reasonable expectation of privacy in electronic devices provided by the department. Thus, the employee did not have any expectation of privacy in the text messages. Quon argued that he did have a reasonable expectation of privacy in his texts because of the oral policy whereby his supervisor, Lieutenant Steve Duke, would not "audit" messages if the employee paid the overage charges. The 9th Circuit agreed with Quon on the ground that the promise not to inspect the messages created an expectation of privacy.

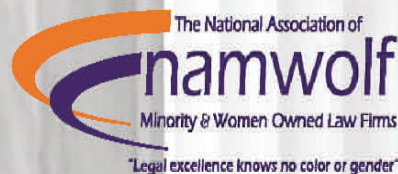
In a unanimous decision, the Supreme Court held that the review of Quon's text messages was reasonable because it was motivated by a legitimate work-related purpose, and because it was not excessive in scope. (*City of Ontario v. Quon* (2010) 130 S.Ct. 2619, 2632.)

The Court also concluded that the search would be regarded as reasonable and normal in the private-employer context. (*Id.* at 2633.) Importantly, the Supreme Court assumed, without deciding, that Quon had a reasonable expectation of privacy. In doing so the Supreme Court noted that, "[a] broad holding concerning employees' privacy expectations vis-à-vis employer-provided technological equipment might have implications for future cases that cannot be predicted. It is preferable to dispose of this case on narrower grounds." (*Id.* at 2630.) The Court further assumed, without deciding, that "the principles applicable to a government employer's search of an employee's physical office apply with at least the same force when the employer intrudes on the employee's privacy in the electronic sphere." (*Id.* at 2630.) Thus, the Court limited its holding recognizing that it "must proceed with care when considering the whole concept of privacy expectations in communications made on electronic equipment owned by a government employer. The judiciary risks error by elaborating too fully on the Fourth Amendment implications of emerging technology before its role in society has become clear." (*Id.* at 2629.)

While the Supreme Court's decision did not have the sweeping effects on the issue of employee privacy rights that some had hoped for, *Quon* highlights the importance for employers, in both the private and public sector to reexamine their electronic communications policies to ensure that they account for the emerging technologies that are flooding the workplace. Further, employers should ensure that all employees and supervisors are trained on the company's policies and informed regarding any changes to the policies. Moreover, employers should ensure that all persons in a supervisory position do not make any oral representations or utilize any informal policies that are inconsistent with the written policies. Thoughtful reflection about the types of technologies utilized, and diligence regarding the revision and implementation of the employer's electronic communications policies, should limit the risk that an employee will mistakenly believe he/she has privacy rights for messages and data viewed through work issued mobile devices.



Bryce C. Besser is an associate at Brown Law Group in San Diego. He has represented clients in the defense of various employment law claims including discrimination, retaliation, trade secrets and wrongful termination. He can be reached at besser@brownlawgroup.com.



REGISTER NOW!

NAMWOLF ANNUAL MEETING & LAW FIRM EXPO

Changing The Dialogue About Diversity

The National Association of Minority and Women Owned Law Firms' (NAMWOLF) 2010 Annual Meeting will take place **October 3 - 6, 2010**, at the Gaylord National Resort and Convention Center, in Washington, DC. The 2010 Annual Meeting will feature:

- Gala Awards Dinner
- Eight CLE Tracks
- Vendor Expo
- NAMWOLF Law Firm Expo
- Luncheon Panel Discussion
- Many Networking Opportunities

Sponsorship opportunities are still available. Please contact Yolanda Coly for more information at 414.277.1139 or ycoly@namwolf.org. We look forward to seeing you in October!

Registration is limited to NAMWOLF Law Firm Members and In-House Counsel.

OCTOBER 3 - 6, 2010

 **WASHINGTON, DC** 

Spotlight—Member Firm: Kelly & Berens, P.A.

KELLY & BERENS, P.A.

ATTORNEYS AT LAW



Tim Kelly

When was the Kelly & Berens, P.A. founded? The Firm was founded in 1988 in Minneapolis, Minnesota.

Who are the founding shareholders? Michael Berens and Tim Kelly started the firm, and in 2008, Barbara Berens became the majority shareholder and managing partner. Kelly & Berens was founded with the belief that direct, simple, clear advocacy was best. That obfuscation - smoke and mirrors - to judge and jury was a bad practice.



Barbara Berens

And how big is the firm – office location, partners and attorneys? Kelly & Berens' office is located in downtown Minneapolis. We currently have twelve attorneys, six of whom are partners including four women and two men. Our attorneys are licensed to practice in the state

and federal courts in Minnesota, California, Colorado, Florida, Washington, D.C., and Tennessee, as well as in Massachusetts state court, Wisconsin federal district court, the Eighth and D.C. Circuit Courts and the U.S. Supreme Court.

We are well-known among the judges and lawyers for the quality of our practice, our expertise in the Minnesota courts and our business approach to practicing law. Our partners have an extensive legal background but practice law with an eye towards a business and the client's business bottom line. We pride ourselves on our ability and willingness to do high quality, big-firm comparable complicated business litigation – and to do so efficiently and without redundancy. We are accustomed to developing case budgets and working within those budgets. In short, we do big-firm work with a small-firm approach to costs and business practices which clients recognize.

What are Kelly & Berens' significant areas of practice? The firm focuses on complex business litigation, but does not limit its practice to any specific area therein. We have handled a wide range of litigation cases in areas such as contracts, securities, antitrust, reinsurance, trusts and estates, employment law, media and first amendment law, patent, copyright and trademark law, shareholder divorces and business torts.

How did your firm come to know NAMWOLF? Why did you join? One of our partners ran across NAMWOLF on the internet and thought it would be a good fit for Kelly & Berens as it offered a way for corporations to connect with law firms that both deliver high quality legal service and have a genuinely diverse group of professionals. We were impressed by NAMWOLF's members, history and mission.

Please name some corporate clients of Kelly & Berens: TCF Financial Corporation, Allianz Life Insurance Company of North America, Fox Group, Winthrop Resources Corporation, Flint Hills Resources, L.P., Regis Corporation, VantageScore Solutions, LLC, U.S. Bancorp, R.B.C. Dain Rauscher, Hubbard Broadcasting, Kardia Health Systems, and the United Health Group Special Litigation Committee (for shareholder derivative litigation involving stock options).

Why is diversity important to your firm? We believe that the delivery of excellent legal services is not – and should not – be confined to any one particular group, and that diversity benefits everyone involved. We are strongly committed to providing an environment where attorneys may flourish based on their merit and contributions, and not some other criteria.

What are your thoughts on the annual meeting? And what tangible benefits has your firm received from the conference? We are new members, so October's annual meeting will be our first. Two of our partners, Justi Miller and Barbara Berens, attended the March NAMWOLF conference and we expect that the annual meeting will be another opportunity to reconnect with members we have already met, to meet other members and work together on our mutual goals.

Anything specific you loved about the annual meeting . . . CLEs, afternoon panel, expo? Since we have yet to attend an annual meeting, we cannot comment specifically to the annual meeting, but at the March meeting we really loved a networking exercise at the "Law Firm Cross Marketing" session led by Tracy

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Spotlight—Member Firm: Kelly & Berens, P.A.

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Tracey Baubie

Cambre of the Cambre Group. While it was fun networking with other NAMWOLF members during the session, we also learned a great deal from members about marketing and law firm management techniques. We understand that the expo is fantastic and are already planning for our booth.

Any recent victories, special recognition, awards?

Barbara Berens has just been appointed as a member of the committee that will select the next Magistrate Judge in the U.S. District Court for the District of Minnesota.

In June 2009, Tim Kelly received recognition for having been included in the reference, "The Best Lawyers in America" for each of the preceding 20 years.

In November 2009, Barbara Berens and Justi Miller represented Connecticut-based VantageScore Solutions, L.L.C. in a three-week jury trial in Minneapolis federal district court. Plaintiff Fair Isaac Corporation asserted federal and state law claims against VantageScore, and two other credit bureau defendants, arising from the alleged infringement of Fair Isaac's trademarks. VantageScore and the other defendants asserted counterclaims alleging Fair Isaac had committed fraud on the U.S. Patent and Trademark Office when obtaining the pertinent trademarks. On November 20, 2009, the twelve-person jury found in VantageScore's favor on all of Plaintiff's claims, and also in favor of VantageScore on its fraud on the PTO counterclaim.

In February 2010, Barbara Berens obtained a preliminary injunction in Minnesota federal district court in favor of clients Kardia Health Systems, Inc. and FSL Acquisition Corp. to stop a threatened U.C.C. sale of software developments, customer lists, and various other assets. See *FSL Acquisition Corp. v. Freeland Systems, LLC*, 2010 WL 605701 (D. Minn. Feb. 12, 2010).

In March 2010, Paul Hannah won the 2010 Defense of the First Amendment Award by St. Cloud State University for his work defending journalists and media companies and forcing state and local governments to follow Minnesota's data practices and open meeting laws.

In June 2010, Tim Kelly and Sarah Bushnell (with co-counsel), after filing a motion to compel arbitration, persuaded a plaintiff to voluntarily dismiss his class action overdraft fee lawsuit against TCF National Bank.

What are your firm's long term goals?

To continue as an institution after the firm's current partners retire while honoring the traditions, quality and beliefs for which the firm has become known.

Where do you see the future of NAMWOLF?

To continue its efforts to reach additional law firms and businesses, spreading its valuable message, and perhaps seeking to have at least one law firm member and corporate sponsor in every state. To increase the number of strategic alliances and obtain support from additional state and federal governmental units.

What has been your involvement with NAMWOLF? For how long?

Our firm was accepted as a member about seven months ago. In that time, our managing partner, Barbara Berens, has recruited another corporate partner while she and Justi Miller are participating on various committees. Kelly & Berens has made a strong commitment to support the Association and to help spread the word about its goals and significance.



Justi Miller



Sarah Bushnell



NAMWOLF Announcements

The Annual Meeting Expo Committee is hard at work planning for this year's Law Firm Expo, which takes place on October 5, 2010 in Washington D.C. Led by Siobhan Moran and Margaret Lockhart, the Expo Committee hopes to increase participation by in-house counsel at the Expo and to improve their overall Expo experience.

Responding to feedback from last year's participants, the Expo Committee is taking a more direct and strategic approach to involving in-house counsel in the Expo. Specifically, each Company invited to the Expo will be assigned a Relationship Manager from the Expo Committee. Relationship Managers will serve as NAMWOLF ambassadors, educating companies about what NAMWOLF firms have to offer and answering their questions and in turn, gathering relevant information about the companies.

The Relationship Managers will reach out to companies before the Expo to determine their specific needs (practice areas, geographic areas, initiatives, upcoming RFPs, etc.) and will share that information with NAMWOLF member law firms. The Relationship Managers also will work with in-house counsel to provide them with the information that they need to help make informed decisions about law firm interviews. The Committee expects that this process will make the Expo more efficient and the interviews more productive for both companies and NAMWOLF law firm members.

The Expo Committee anticipates inviting more than six hundred companies, organizations and agencies to participate in the Expo. If you have additional companies in mind (particularly any located in or around Washington DC, Maryland or Virginia), please contact Siobhan (smoran@mka-law.com) or Margaret (lockhart@CooperWalinski.com) and they will add them to the list.



Law Firm News



Debra M. McCulloch

Debra M. McCulloch Joins Bush Seyferth & Paige PLLC to Lead the Employment Law Group

Bush Seyferth & Paige PLLC (BSP), a national litigation firm in Troy, announced attorney Debra M McCulloch has joined the firm as a partner, leading the firm's new Employment Law Group

With 30 years of combined experience in employment law matters and litigation, McCulloch counsels and defends private and public employers, including many Fortune 500 companies She also focuses on international employment law and data and privacy protection, as well as commercial litigation

"Deb, with her years of experience and her comprehensive knowledge of the wide ranging issues companies face in employment law, will complement the depth of BSP's high-profile litigation practice," said Cheryl A Bush, managing partner for BSP "Her skills will further strengthen BSP's top priorities service and value for our clients"

The Employment Law Group includes seasoned attorney Jennifer M. Eble and associate attorney Lauren E. Kerr. The team has extensive experience in high-level litigation and has represented numerous Fortune 500 companies on employment issues in state and federal courts, at both the trial and appellate levels

Prior to joining BSP, McCulloch was a partner in the Employment and Commercial litigation practice areas of Dykema Gossett PLLC in Detroit

McCulloch received her juris doctorate from the University of Michigan and earned her undergraduate degree from Michigan State University McCulloch also earned her Master of Laws degree from the University of London, London School of Economics and Political Science

Most recently, McCulloch was recognized in The Best Lawyers in America 2010 for Labor and Employment Law. She also has been recognized four times as a Michigan Super Lawyer by Law & Politics.

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LAW OFFICES

Law Firm News—Successes and Awards

NAMWOLF FIRM LAFAYETTE & KUMAGAI WINS BIG

By Gary T. Lafayette



Gary T. Lafayette

Nationally known as a trial firm, and one of few minority-owned firms to argue before the U.S. Supreme Court, Lafayette & Kumagai LLP demonstrated its expertise in a string of recent successes this past spring.

The San Francisco-based NAMWOLF firm represented a global oil company in a case in which an employee alleged failure to accommodate and failure to engage in the interactive process.

A Motion for Summary Adjudication, filed on behalf of Defendant by Lafayette & Kumagai associate Brian Chun, successfully knocked out Plaintiff's claims relating to allegations of harassment and retaliation. After the third day of trial testimony in April 2010, the United States District Court for the Northern District of California granted Defendant's Motion for Judgment as a Matter of Law.

In another employment case handled on behalf of the same client in California Superior Court, a former employee alleged age discrimination and wrongful termination. During the May 2010 trial, the Court granted Motions in Limine filed by Lafayette & Kumagai on behalf of Defendant, preventing Plaintiff from calling a statistician as an expert witness and from relying on a stray remark of age bias. After Plaintiff rested, the Court granted Defendant's Motion for Non-Suit, drafted by Susan Kumagai, because the evidence Plaintiff presented, even if true, was insufficient to make out a cause of action.

Lafayette & Kumagai also made strategic use of Motions in Limine in a commercial litigation trial in March 2010. The firm represented Defendant in a suit wherein Plaintiff sought over \$14 million in connection with an anti-dilution provision in various stock warrants. Plaintiff dismissed the case two days before the commencement of trial, after reviewing the Alameda County Superior Court's tentative decisions regarding Defendant's Motions in Limine.

Lafayette & Kumagai adeptly represented a *Fortune* 100 company in a case in which Plaintiffs attempted to invoke California's non-compete statute to prevent the firm's

Lafayette & Kumagai

client, an international medical drug and device company, from enforcing its non-compete agreement with Plaintiffs. With a parallel lawsuit pending in another state, the firm successfully opposed Plaintiffs' Request for a Temporary Restraining Order and Request for a Preliminary Injunction, and successfully blocked their attempt to race to judgment in California. Kudos go to Lafayette & Kumagai associate Rebecca Kimura.

In a Los Angeles County Superior Court case, Lafayette & Kumagai partnered with Reed Smith to represent Defendant and successfully defeat Plaintiffs' Motion for Class Certification in June 2010, for a class in excess of 18,000 managers who allegedly were misclassified as exempt from California overtime pay requirements. Plaintiffs also pursued a joint employment theory which was defeated as were claims of meal and rest break violations and double time violations. After multiple rounds of class certification briefing, the Court held that Plaintiffs failed to show by admissible evidence any basis to certify any class as to Defendant and that Plaintiffs failed to meet their burden of establishing the existence of both an ascertainable class and a well-defined community of interest among the class members, including their burden of establishing with substantial evidence that common issues predominate.

Lafayette & Kumagai's success is built upon a strong foundation of motion practice proficiency. The firm frequently prevails by summary judgment in employment matters including race, age, gender and disability discrimination, harassment, retaliation, ERISA and breach of contract cases. The firm has also been very effective in strategically reducing causes of action through summary adjudication, often leading to settlements favorable to the firm's clients.

Gary Lafayette is a partner at Lafayette & Kumagai. His practice includes employment litigation, general business litigation and civil trial practice. He can be reached at glafayette@lkclaw.com.



Law Firm News—Successes and Awards

NUKK-FREEMAN & CERRA, P.C.

EMPLOYMENT ATTORNEYS

Teaming With Employers To Build A Better Workplace



Kerrie R.
Heslin

Chambers & Partners, *Chambers USA, American's Leading Lawyers for Business* 2010 guide, announced June 11th the selection of Nukk-Freeman & Cerra, P.C. of Short Hills, NJ as one of the leading firms, in the Labor & Employment division, for New Jersey.



Suzanne M.
Cerra

NFC is recognized as a dynamic, relatively young employment boutique that has established considerable market share for itself. The group's two founding partners both have big-firm backgrounds and experience, and their team, which now numbers 16, is greatly valued for its client service and welcome emphasis on litigation prevention. The group covers the full range of employment work, including employment counseling and benefits advice, training and litigation. Among many others, their clients include Prudential Financial and Siemens Healthcare Diagnostics. Suzanne Cerra, a founding partner along with Katherin Nukk-Freeman, has been described as "an incredible employment lawyer who possesses a great ability to establish a rapport with people – she is a superb, client-facing attorney."



Katherin
Nukk-Freeman

New Jersey's *Super Lawyers* magazine selected Suzanne M. Cerra as one of NJ's Top 100 Super Lawyers and Top 50 Women NJ Super Lawyers. Partners Suzanne M. Cerra, Kerrie R. Heslin, and Katherin Nukk-Freeman were named as three of the top attorneys in NJ. Only 5% of the lawyers in the state are named by *Super Lawyers*.

Nukk-Freeman & Cerra was one of five U.S. law firms selected as new members of NAMWOLF in January 2010.

QUATEMAN LLP | Attorneys at Law



Lisa Greer Quateman, Managing Partner of QUATEMAN LLP, has been in the print news quite a bit in the past year. The *Los Angeles Business Journal* named Lisa as one of Los Angeles' top 100 attorneys! Lisa was again selected as a *Super Lawyer* for 2010. In addition, Lisa was a finalist for the *Los Angeles Business Journal's* 18th annual 2010

"Women Making a Difference Award" in the CEO-Business Owner category. The "Women Making a Difference Awards" honors L.A.'s most successful women business leaders. She was recently honored by Commercial Real Estate Women-Los Angeles (CREW-LA) as one of its "Women at the Top" honoring the gold standard in commercial real estate. Lisa is a past President and National Delegate of CREW-LA and currently serves as General Counsel and Director.

Lisa is not allowing her oratorical skills to get rusty either! As a frequent speaker or panelist at various legal and business events, Lisa was a panelist earlier this year before The Ziman Center for Real Estate, Crocker Symposium in Los Angeles discussing the topic "The Bidding Game: Acquiring Assets from the FDIC". In May she was a featured speaker at the Special Assets Management Association (SAMA) conference in Carlsbad, California, during the "Boot Camp for Chief Credit Officers". She finished the quarter by conducting a training for government financial executives on financing basics and hot topics sponsored by Macias Gini & O'Connell.

QUATEMAN LLP's practice encompasses transactional and advisory work focusing on five key areas of the law: corporate, finance, real estate, municipal and international transactions.



Interested in submitting an article for future editions of the NAMWOLF newsletter?

Contact:
Stacy Fode, Editor
fode@brownlawgroup.com

LAW GROUP
brown

Law Firm News—Successes and Awards



Detroit-based employment law firm Nemeth Burwell, P.C. announced today that esteemed immigration attorney Ingrid Brey has joined the firm of counsel. According to Nemeth Burwell co-founding partner and NAMWOLF member Linda G. Burwell, the addition of Ms. Brey is a complement to the firm's existing management employment law practice.

"It's a natural extension of the firm to provide employment related immigration services for our clients that have a specialized need in this area. Nemeth Burwell has had a strong referral relationship with Ms. Brey in recent years and we are pleased to formalize that relationship as she joins us of counsel," says Ms. Burwell.

Ms. Brey's legal work experience includes solo practice as well as serving as immigration counsel at large law firms. She is an AV-rated attorney and was named to the Michigan Super Lawyer list in 2006 and the Best Lawyers in America list from 1999 to present for immigration law. Ms. Brey is an active member of the American Immigration Lawyers Association (AILA) and has served as chair of AILA's Michigan Chapter (1999-2001) and as chair of the National Physician's Committee in 2003. She has also served on various national liaison committees, including the Department of Labor, Nebraska Service Center, and Department of State, where she was charged with liaising with the Waiver Review Division on J-1 visa waiver issues. In 2007, Ms. Brey acted as AILA liaison with the U.S. Embassy in Mexico City. She has published numerous articles on immigration law, including a chapter in the Institute of Continuing Legal Education's handbook, *Employment Law in Michigan*. In January, 2009 Ms. Brey's article, *Immigration Law for the Employment Lawyer*, appeared in the *Michigan Bar Journal*. She is a frequent speaker on immigration law and presents yearly at the national American Immigration Lawyers' Conference and other national immigration conferences throughout the U.S.

Ms. Brey holds a law degree, cum laude, from the Thomas M. Cooley Law School and a master's degree in labor law from the Georgetown University Law Center. She received her bachelor's degree in social science from Michigan State University.



Barbara K. Roman

We are proud and honored to announce the installation of our Partner, Barbara K. Roman, as President-Elect of the Cleveland Metropolitan Bar Association (CMBA) for 2010-2011. Barb has long been an integral member of the Meyers Roman team and we applaud her tireless efforts to promote integrity and professionalism throughout the practice of law. Her passionate commitment to excellence within the legal community has been an inspiration to us all.



Janice P. Brown



Southern California Super Lawyers – San Diego Edition has selected Janice Brown, founder of Brown Law Group, under Employment and Labor Law for inclusion in its top attorneys' publication. Super lawyers are selected by their peers and represent the top 5 percent of the legal profession.

Brown Law Group is a leading San Diego business litigation boutique law firm. The selection recognizes Brown's continuing contributions to the field of law, her client advocacy and unwavering determination. She has been named Lawyer of the Year several times, and received numerous awards.

Active in significant community and professional organizations, Ms. Brown is known for her smart, result-driven strategy, integrity and long-term client relationships. Representative clients include Fortune 50 companies, financial and lending institutions, developers, and insurance companies.

Law Firm News—Successes and Awards

Donovan & Yee has expanded, with the addition of two new partners: Nancy J. Mertz and Heather L. Heft



Nancy J. Mertz

Nancy Mertz brings over twenty years experience protecting brand names, products and content. She regularly handles disputes involving trademarks, trade dress, dilution, cybersquatting, copyrights and trade secrets. Nancy also provides counseling and conducts litigation regarding technology and software matters, including best practices for managing online risks. In addition, she advises clients with regard to trademark clearance, prosecution and trademark and copyright licensing.

Nancy is an active member of the Copyright Society of the USA, where she recently served as Treasurer, a Trustee and a member of the Executive Committee. She is also a member of the American Intellectual Property Law Association, where she serves as co-chair of the LGBT Sub-Committee of the Diversity Committee. She is a frequent speaker and author on intellectual property related issues. In 2009, she was listed among the New York Super Lawyers for Intellectual Property Litigation. Nancy recently joined the firm as a partner after practicing at boutique, regional and national law firms.

Nancy received her J.D. from American University Washington College of Law and her B.A. from the University of Rochester. She is a member of the New York bar and is admitted to practice before the Supreme Court of the United States, the United States Courts of Appeals for the Second, Third, Eleventh and Federal Circuits, and the United States District Courts for the Southern and Eastern District of New York and the Eastern District of Michigan.



Heather L. Heft

Heather Heft has been practicing exclusively in the field of intellectual property law for more than thirteen years, focusing on obtaining and protecting trademarks and copyrights worldwide. She advises clients in such varied industries as cosmetics, apparel, technology, pharmaceuticals, retail, consumer products, bed and bath products, financial services and entertainment. Heather's practice includes domestic and international trademark clearance and prosecution, trademark licensing, counseling clients on varied intellectual property issues, and the corporate aspects of intellectual property law. She has also litigated intellectual property rights.

Heather is an active member of the International Trademark Association and the Copyright Society of the USA. She is a frequent author and speaker in the field of intellectual property. Heather joined the firm as an associate after practicing for several years in the intellectual property department of a national law firm, and was recently elected to partnership.

Heather graduated from Columbia University School of Law, where she was an Articles Editor on the Columbia Journal of Law & the Arts (formerly Columbia-VLA Journal of Law & the Arts). She graduated with honors and distinction in American History from the University of Pennsylvania.

About Donovan & Yee

Founded in 1997, Donovan & Yee LLP is a women-owned law firm with offices located in the SoHo neighborhood of New York. The firm handles trademark, copyright, unfair competition and related matters, including rights clearance, registration and maintenance, licensing, enforcement and litigation. The firm represents large and small clients in virtually every type of industry, including consumer goods, entertainment, pharmaceuticals, publishing, fashion, manufacturing, sports, design and communications. Donovan & Yee is a member of the National Association of Women and Minority Owned Law Firms and has been named a "go to" firm by Fortune 100 companies as reported in IP Law & Business.

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